

300 cases each containing 72 cans of tomato sauce at Houston, Tex., alleging that the articles had been shipped in interstate commerce on or about December 9 and 31, 1941, by Val Vita Food Products, Inc., from Oakland and Fullerton, Calif.; and charging that they were adulterated in that they consisted in whole or in part of decomposed substances. The articles were labeled in part: "Val Vita Brand Tomato Catsup * * * 14 oz. [or "Spanish Style Tomato Sauce * * * 7½ Oz.]."

On February 13 and March 10, 1942, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

3133. Adulteration of tomato juice. U. S. v. 200 Cases, 50 Cases, 50 Cases, and 41 Cases of Tomato Juice. Default decrees of condemnation and destruction. (F. D. C. Nos. 6552, 6919, Sample Nos. 75794-E, 75795-E, 75796-E, 90300-E, 90312-E.)

On December 22, 1941, and February 21, 1942, the United States attorney for the District of Massachusetts filed libels against a total of 300 cases of various-sized cans of tomato juice at Brockton, Mass., and 41 cases at Worcester, Mass., alleging that the article had been shipped in interstate commerce on or about October 22 and 29, 1941, by Holley Canning Co., Inc., from Holley, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Armour's Star Tomato Juice * * * Armour and Company Distributors."

On March 2 and 23, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

3134. Adulteration of tomato juice. U. S. v. 40 Cases of Tomato Juice. Default decree of condemnation and destruction. (F. D. C. No. 6581. Sample No. 90275-E.)

On December 26, 1941, the United States attorney for the District of Massachusetts filed a libel against 40 cases of tomato juice at Greenfield, Mass., alleging that the article had been shipped in interstate commerce on or about October 18, 1941, by Barker Canning Corporation from Barker, N. Y.; and charging it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Our Table Brand Tomato Juice."

On January 26, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3135. Adulteration of tomato puree. U. S. v. William S. Swett (Knox Pickle & Preserve Works). Plea of guilty. Fine, \$25. (F. D. C. No. 5510. Sample Nos. 47136-E, 47144-E.)

On November 19, 1941, the United States attorney for the Northern District of Indiana filed an information against William S. Swett, trading as Knox Pickle & Preserve Works at Sidney, Ind., alleging shipment on or about December 5, 1940, and January 10, 1941, from the State of Indiana into the State of Illinois, of quantities of tomato puree that was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Blossom * * * Tomato Puree Distributed By Sprague, Warner & Company Chicago, Ill."

On February 17, 1942, the defendant having entered a plea of guilty, the court imposed a fine of \$25.

3136. Adulteration of tomato puree. U. S. v. 398 Cases of Tomato Puree. Default decree of destruction. (F. D. C. No. 6229. Sample No. 58835-E.)

On November 15, 1941, the United States attorney for the District of Minnesota filed a libel against 398 cases, each containing 6 No. 10 cans, of tomato puree at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about September 20, 1941, by Butterfield Canning Co. from Muncie, Ind.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Indiano Brand Puree of Tomatoes."

On January 15, 1942, no claimant having appeared, judgment was entered ordering that the product be destroyed.

3137. Adulteration of tomato puree. U. S. v. 69 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 6236. Sample No. 18019-E.)

On November 17, 1941, the United States attorney for the Southern District of Alabama filed a libel against 69 cases of tomato puree at Catherine, Ala.,

alleging that the article had been shipped in interstate commerce on or about September 18, 1941, by the Houghland Packing Co. from Franklin, Ind.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On January 22, 1942, no claimant having appeared, a decree pro confesso and final decree of condemnation was entered and the product was ordered destroyed.

3138. Adulteration of tomato puree. U. S. v. 199 Cases, 91 Cases, and 132 Cases of Tomato Puree. Default decrees of condemnation and destruction. (F. D. C. Nos. 6646, 7452. Sample Nos. 79603-E, 80079-E, 80080-E.)

On January 2 and May 2, 1942, the United States attorneys for the Eastern District of Kentucky and the Southern District of Ohio filed libels against 199 cases of tomato puree at Covington, Ky. and 223 cases at Hamilton, Ohio, alleging that the article had been shipped in interstate commerce on or about November 18, 1941, and March 9, 1942, by the Ladoga Canning Co., from Lebanon, Ind.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: (Cans) "Sugar Loaf Tomato Puree"; or "Ladoga Brand Tomato Puree"; or "Freco Brand Tomato Puree."

On January 26 and June 11, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

3139. Adulteration of tomato puree. U. S. v. 398 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 6727. Sample No. 89021-E.)

On January 19, 1942, the United States attorney for the Eastern District of New York filed a libel against 398 cases of tomato puree at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about December 15, 1941, by F. H. Leggett & Co. from Quinton, N. J.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Empress Brand Tomato Puree."

On February 20, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3140. Adulteration of tomato puree. U. S. v. 106, 200, and 496 Cases of Tomato Puree. Consent decrees of condemnation. Portions of product ordered destroyed. Remainder ordered released under bond for segregation and destruction of unfit portion. (F. D. C. Nos. 6709, 6732, 6739. Sample Nos. 65934-E, 65943-E, 65944-E, 65948-E.)

All lots of this product contained mold, and portions also contained worm and insect fragments.

On January 28, 1942, the United States attorney for the District of Colorado filed libels against 802 cases of tomato puree at Denver, Colo., which had been consigned by the Rocky Mountain Packing Corporation, alleging that the article had been shipped in interstate commerce within the period from on or about November 12 to on or about December 30, 1941, from Roy and Murray, Utah; and charging that it consisted in whole or in part of a filthy and decomposed substance. The article was labeled in part: (Cans) "Brimfull Brand Tomato Puree, * * * Distributors H. A. Marr Grocery Co., Denver, Colo."; or "Glennwood Brand Tomato Puree * * * Distributed by Rocky Mountain Packing Corporation."

On February 19, 1942, the Rocky Mountain Packing Corporation, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered destroyed. On March 12, 1942, the Rocky Mountain Packing Corporation having appeared and moved the amendment of the decree entered against 496 cases of the product, and having admitted the allegations of the libel, an amended decree was entered condemning the product and ordering that the 496 cases be released under bond for segregation and destruction of the unfit codes under the supervision of the Food and Drug Administration.

3141. Adulteration of tomato puree. U. S. v. 416 Cases and 334 Cases of Tomato Puree. Default decrees of condemnation and destruction. (F. D. C. Nos. 6558, 6765. Sample Nos. 84708-E, 89036-E.)

On December 23, 1941, and January 26, 1942, the United States attorney for the Southern District of New York filed libels against 750 cases, each containing 6 No. 10 cans, of tomato puree at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 24 and