

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

November 5, 1941, and January 5, 1942, by Salem County Cannery, Inc., 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 F. H. Leggett & Co. Distributors New York, N. Y."

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

**3142. Adulteration of tomato puree. U. S. v. 899 Cases of Tomato Puree. Consent decree of condemnation. Product ordered released under bond for segregation.** (F. D. C. No. 6848. Sample No. 84879-E.)

On or about February 11, 1942, the United States attorney for the District of Connecticut filed a libel against 899 cases, each containing 6 No. 10 cans, of tomato puree at Hartford, Conn., alleging that the article had been shipped in interstate commerce on or about September 17, 1941, by Vincennes Packing Corporation from Plainville, Ind.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On April 27, 1942, Vincennes Packing Corporation, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that the portion of the product found to comply with the requirements of the law be segregated under the supervision of the Food and Drug Administration, and that the remainder be destroyed.

**3143. Adulteration of tomato paste. U. S. v. Hartmann Canning Co., Inc. Plea of guilty. Fines, \$400; payment of \$300 suspended.** (F. D. C. No. 5506. Sample Nos. 34720-E, 36484-E, 46392-E, 46397-E.)

On December 1, 1941, the United States attorney for the Western District of New York filed an information against Hartmann Canning Co., Inc., a corporation at Macedon, N. Y., alleging shipment within the period from on or about September 26, 1940, to on or about January 25, 1941, from the State of New York into the States of Connecticut and Massachusetts, of quantities of tomato paste that was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Scarlati Tomato Paste With Sweet Basil."

On February 23, 1942, the defendant having entered a plea of guilty, the court imposed a fine of \$100 on each count, totaling \$400. Payment of the fines on counts II, III, and IV was suspended.

**3144. Adulteration of tomato paste. U. S. v. 2,000 Cases and 2,000 Cases of Tomato Paste. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of unfit portion.** (F. D. C. No. 6514. Sample No. 23229-E.)

On December 13 and 30, 1941, the United States attorney for the Eastern District of Pennsylvania filed libels against 4,000 cases, each containing 6 cans, of tomato paste at Philadelphia, Pa., alleging that the article had been shipped on or about November 17, 1941, by Hershel California Fruit Products Co., Inc., from San Jose, Calif.; 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) "Contadina Tomato Paste Contents 7 Lbs."

On March 17, 1942, Hershel California Fruit Products Co., Inc., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the unfit portion under the supervision of the Food and Drug Administration.

**3145. Adulteration of tomato paste. U. S. v. 60 Cases of Tomato Paste. Default decree of condemnation and destruction.** (F. D. C. No. 6633. Sample No. 22777.)

On December 31, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 60 cases of tomato paste at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about December 15, 1941, by the Manteca Canning Co. from Manteca, Calif.; 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: (Can) "Tux Brand Tomato Paste."

On April 1, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.