

**5049. Adulteration of tomato juice. U. S. v. Francis C. Stokes Co. Plea of guilty. Fine, \$300.** (F. D. C. No. 8837. Sample Nos. 17578-F, 22437-F, 22439-F.)

This product contained mold, indicating the presence of decomposed material. On April 28, 1943, the United States attorney for the District of New Jersey filed an information against the Francis C. Stokes Co., a corporation, at Vincentown, N. J., alleging shipment on or about October 23 and December 1, 1942, from the State of New Jersey into the States of New York and Pennsylvania of a quantity of tomato juice that was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "White Rose \* \* \* Pure Tomato Juice, \* \* \* Seeman Brothers Incorporated, Distributors," or "Stokes \* \* \* Tomato Juice."

On July 10, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$300.

**5050. Adulteration of tomato juice. U. S. v. 1,328 Cases of Tomato Juice. Consent decree of condemnation. Product ordered released under bond for segregation and sale of the unfit portion for use in the manufacture of animal feed.** (F. D. C. No. 9423. Sample No. 16139-F.)

On or about March 2, 1943, the United States attorney for the District of Colorado filed a libel against 1,328 cases, each containing 24 cans, of tomato juice at Denver, Colo., which had been shipped by the Fair View Packing Co., Inc., alleging that the article had been shipped in interstate commerce on or about November 14, 1942, from Hollister, Calif.; and charging that it was adulterated in that it consisted in whole or in part of decomposed tomato material, as evidenced by mold. The article was labeled in part: (Cans) "Blue Sky Tomato Juice."

On June 25, 1943, the Fair View Packing Co., Inc., claimant, having admitted that a portion of the product was adulterated as alleged, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated under the supervision of the Food and Drug Administration and sold as animal feed.

**5051. Adulteration of tomato juice. U. S. v. 498 Cases of Tomato Juice. Consent decree of condemnation and destruction.** (F. D. C. No. 9526. Sample No. 38226-F.)

On March 12, 1943, the United States attorney for the Northern District of Illinois filed a libel against 498 cases, each containing 12 bottles, of tomato juice at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 21, 1943, by the Loudon Packing Co. from Saratoga, Ind.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance, decomposed tomato material as evidenced by mold. The article was labeled in part: (Bottle cap) "Good Morning Tomato Juice."

On May 24, 1943, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

**5052. Adulteration of tomato paste. U. S. v. 99 Cases of Tomato Paste. Consent decree of condemnation. Product ordered released under bond to be destroyed or brought into compliance with the law.** (F. D. C. No. 9493. Sample No. 11080-F.)

On March 5, 1943, the United States attorney for the Eastern District of Missouri filed a libel against 99 cases, each containing 48 jars, of tomato paste at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about February 20, 1943, by the Riverbank Canning Co. from Riverbank, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance, viable bacteria and sour, decomposed tomato paste, and in that it consisted in whole or in part of filthy substances, larvae, flies, and beetles. The article was labeled in part: "Madonna Fancy Tomato Paste."

On April 21, 1943, the European Import Corporation of Clayton, St. Louis County, Mo., having appeared as claimant and having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be destroyed or brought into compliance with the law, under the supervision of the Food and Drug Administration.

**5053. Adulteration of tomato paste. U. S. v. 47 Cases and 250 Cases of Tomato Paste. Decrees of condemnation. Product ordered released under bond for segregation and destruction of the unfit portion.** (F. D. C. Nos. 7171, 7172. Sample Nos. 95032-E to 95034-E, incl.)

Examination showed this product to contain decomposed material as evidenced by mold.

On April 10, 1942, the United States attorney for the Western District of Pennsylvania filed libels against a total of 297 cases of tomato paste, each containing 100 cans, at Pittsburgh, Pa., alleging that the article had been shipped in interstate com-