

LABEL, IN PART: (Cans) "Our Value Brand * * * Early June Peas Distributed by Kitchen Products Inc., Chicago, Ill."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: May 5, 1944. The Durand Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

6528. Adulteration of red peppers. U. S. v. 160 Bags of Peppers. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 11958. Sample No. 58930-F.)

LIBEL FILED: March 3, 1944, District of Maryland.

ALLEGED SHIPMENT: On or about January 25, 1944, by the Carolina Pepper Association, from Florence, S. C.

PRODUCT: 160 bags, each containing approximately 100 pounds, of peppers at Baltimore, Md.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of rodent excreta and moldy peppers.

DISPOSITION: May 29, 1944. McCormick & Co., Inc., Baltimore, Md., claimant, having admitted the allegations in the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration. The unfit portion was segregated and destroyed.

6529. Adulteration of canned spinach. U. S. v. 1,617 Cases of Canned Spinach. Default decree of condemnation and destruction. (F. D. C. No. 11956. Sample Nos. 66042-F, 66050-F.)

LIBEL FILED: March 6, 1944, Southern District of New York.

ALLEGED SHIPMENT: On or about January 13, 1944, by the W. C. Bohannon Canning Co., Mission, Tex.

PRODUCT: 1,617 cases, each containing 24 1-pound, 2-ounce cans, of spinach at New York, N. Y.

LABEL, IN PART: "Bohannon Spinach."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of sand; and, Section 402 (b) (4), sand had been mixed and packed therewith so as to reduce its quality.

DISPOSITION: April 3, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

TOMATOES AND TOMATO PRODUCTS*

6530. Adulteration of canned tomatoes. U. S. v. 1,807 Cases and 294 Cases of Canned Tomatoes. Decrees of condemnation. Product ordered released under bond. (F. D. C. No. 11796. Sample No. 10392-F.)

LIBELS FILED: February 11 and 22, 1944, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about December 31, 1942, and January 4, 1943, by Roberts Bros., Inc., from Baltimore, Md.

PRODUCT: 2,101 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at New Orleans, La.

LABEL IN PART: (Cans) "Roberts Big R Brand."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: March 6, 1944. The H. G. Hill Stores, Inc., New Orleans, La., claimant, having admitted the allegations of the libel, judgments of condemnation were entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

6531. Adulteration of tomato paste. U. S. v. 456 Cases of Tomato Paste. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 11920. Sample No. 66051-F.)

LIBEL FILED: On or about March 2, 1944, Southern District of New York.

*See also Nos. 6520 and 6595.

ALLEGED SHIPMENT: On or about November 16, 1943, by the Riverbank Canning Co., Modesto, Calif.

PRODUCT: 456 cases, each containing 24 6-ounce cans, of tomato paste at New York, N. Y.

LABEL, IN PART: (Cans) "Premier Tomato-Paste * * * Francis H. Leggett & Co. Distributors New York, N. Y."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: May 22, 1944. Francis H. Leggett & Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

6532. Adulteration of tomato puree. U. S. v. 326 Cases and 142 Cases of Tomato Puree. Default decrees of condemnation and destruction. (F. D. C. Nos. 12225, 12294. Sample Nos. 33891-F, 75702-F.)

LIBELS FILED: April 20 and May 1, 1944, Western District of New York.

ALLEGED SHIPMENT: On or about March 21, 1944, by the Springfield Sugar & Products Co., from Springfield, Mass.

PRODUCT: 468 cases, each containing 6 cans, of tomato puree at Lockport, N. Y.

LABEL, IN PART: (Cans) "Rockford Brand Puree of Tomatoes * * * Sharp Canning Co. Rockford, Ohio, Ohio City, Ohio," or "Willow Brook Farm Products Tomato Puree * * * Packed By Phillips Bros. Salisbury, Md."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: May 31, 1944. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

6533. Adulteration of tomato relish and cucumber relish. U. S. v. 332 Cases of Tomato Relish and 100 Cases of Cucumber Relish. Decrees of condemnation. Products ordered released under bond. (F. D. C. No. 11480. Sample Nos. 41418-F, 41419-F.)

LIBELS FILED: December 23, 1943, Southern District of Texas.

ALLEGED SHIPMENT: On or about September 22 and October 7, 1943, by the Mayfair Food Products Co., from Chicago, Ill.

PRODUCT: 100 cases, each containing 24 12-ounce jars, of cucumber relish, and 332 cases, each containing 24 17-ounce jars, of tomato relish at Houston, Tex.

Examination showed that the tomato relish was contaminated with viable spoilage micro-organisms and was undergoing active fermentation. The cucumber relish was undergoing spoilage; lids were blowing off the jars.

LABEL, IN PART: (Jars) "Mayfair Set Fresh Green Tomato [or "Cucumber"] Relish."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the tomato relish consisted in whole or in part of a decomposed substance; and the cucumber relish was unfit for food because it was undergoing spoilage.

DISPOSITION: March 31, 1944. The claimant having admitted the adulteration of the products, judgments of condemnation were entered and they were ordered released under bond for segregation of the fit from the unfit portion under the supervision of the Food and Drug Administration. The unfit portion was destroyed.

6534. Adulteration and misbranding of tomato sauce and misbranding of tomato puree. U. S. v. 181 Cases of Tomato Sauce and 148 Cases of Tomato Puree. Consent decrees of condemnation. Products ordered released under bond to be relabeled. Amended decree ordering puree distributed to charitable institutions. (F. D. C. Nos. 9922, 10900. Sample Nos. 6645-F, 47236-F.)

LIBELS FILED: May 12 and October 7, 1943; libel of May 12, 1943, amended on March 18, 1944, Western District of Tennessee.

ALLEGED SHIPMENT: On or about March 15 and June 28, 1943, by the Glorioso Corporation, Hopewell, Miss., and New Orleans, La.

PRODUCT: 181 cases, each containing 100 cans, of tomato sauce, and 148 cases, each containing 48 cans, of tomato puree at Memphis, Tenn.