

**ALLEGED SHIPMENT:** On or about June 24, 1944, by the Quality Products, Inc., from LaFeria, Tex.

**PRODUCT:** 84 cases, each containing 24 cans, of tomatoes at Memphis, Tenn.

**LABEL, IN PART:** "Curtis Tomatoes Contents 1 Lb. 3 Oz. Avd."

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

**DISPOSITION:** December 15, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered segregated, under the supervision of an officer designated by the Federal Security Administrator, the good portion to be donated to charity and the bad portion destroyed. On December 16, 1944, an amended decree was entered providing for the collection of ration points on the salvaged product.

**7840. Adulteration of canned tomatoes. U. S. v. 24 Cases and 17 Cartons of Canned Tomatoes. Default decrees of condemnation and destruction.** (F. D. C. Nos. 15077, 15093. Sample Nos. 93755-F, 93844-F.)

**LIBEL FILED:** January 22 and 25, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** December 4 and 5, 1944, by John Minervini, from Hoboken, N. J.

**PRODUCT:** 24 cases, each containing 6 cans, of tomatoes at Poughkeepsie, N. Y., and 17 cartons, each containing 6 cans, of tomatoes at New York, N. Y.

**LABEL, IN PART:** "Minervini Brand Unpeeled Tomatoes \* \* \* Italian Style."

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

**DISPOSITION:** February 14, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**7841. Misbranding of canned tomatoes. U. S. v. 700 Cases of Canned Tomatoes. Decree of condemnation. Product ordered released under bond for re-labeling.** (F. D. C. No. 14600. Sample No. 89873-F.)

**LIBEL FILED:** November 29, 1944, Northern District of Mississippi.

**ALLEGED SHIPMENT:** On or about September 26, 1944, by the Ripley Canning Co., from Ripley, Tenn.

**PRODUCT:** 700 cases, each containing 24 cans, of tomatoes at Clarksdale, Miss. The product was substandard in quality and was short-weight.

**LABEL, IN PART:** (Can) "Forked Deer Brand Hand Packed Tomatoes."

**VIOLATIONS CHARGED:** Misbranding, Section 403 (h) (1), the quality of the product fell below the standard for canned tomatoes because of the presence of excessive peel and an excessive proportion of liquid and small pieces; Section 403 (h) (2), it fell below the standard of fill of container since it was filled to less than 90 percent of the total capacity of the container; and its label failed to bear, in such manner and form as the regulations specify, a statement that it fell below the standard; and, Section 403 (e) (2), it was a food in package form and it failed to bear a label containing an accurate statement of the quantity of the contents since the label statement, "Contents 1 Lb. 3 Ozs.," was inaccurate.

**DISPOSITION:** January 22, 1945. The Ripley Canning Co., Ripley, Tenn., having appeared as claimant, 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.

**7842. Adulteration of tomato catsup. U. S. v. 718 Cases of Tomato Catsup. Default decree of condemnation and destruction.** (F. D. C. No. 15188. Sample No. 18303-H.)

**LIBEL FILED:** February 1, 1945, Northern District of Iowa.

**ALLEGED SHIPMENT:** On or about December 12, 1944, by the Vincennes Packing Corporation, Seymour, Ind.

**PRODUCT:** 718 cases, each containing 24 bottles, of tomato catsup at Sioux City, Iowa.

**LABEL, IN PART:** "Alice of Old Vincennes Tomato Catsup."

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

**DISPOSITION:** February 27, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.