

DISPOSITION: January 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8457. Adulteration of tomato juice. U. S. v. 178 Cases of Tomato Juice. Default decree of forfeiture and destruction. (F. D. C. No. 14435. Sample No. 63386-F.)

LIBEL FILED: November 17, 1944, Southern District of Florida.

ALLEGED SHIPMENT: On or about September 19, 1944, by the H. J. McGrath Co., from Baltimore, Md.

PRODUCT: 178 cases, each containing 24 cans, of tomato juice at Miami, Fla.

LABEL, IN PART: "McGrath's Tomato Juice."

VIOLATION CHARGED: Adulteration, Section 402 (a) (2), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: May 11, 1945. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

8458. Adulteration of canned tomato paste. U. S. v. 279 Cases of Canned Tomato Paste. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14971. Sample No. 97205-F.)

LIBEL FILED: January 8, 1945, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about October 14, 1944, by the Uddo and Taormina Co, from Buena Park, Calif.

PRODUCT: 279 cases, each containing 6 7-pound cans, of tomato paste at New Orleans, La.

LABEL, IN PART: "Progresso Brand Fancy California Tomato Paste."

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

DISPOSITION: June 29, 1945. The Uddo & Taormina Co., claimant, having admitted the allegations of the libel, 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.

8459. Adulteration of canned tomato pulp. U. S. v. 794 Cases of Tomato Pulp. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14821. Sample No. 54681-F.)

LIBEL FILED: On or about January 3, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 12, 1944, by the Farm Bureau Fruit Products Co., from Bay City, Mich.

PRODUCT: 794 cases, each containing 6 6-pound, 6-ounce cans, of tomato pulp at Chicago, Ill.

LABEL, IN PART: "Farm Bureau Brand Tomato Pulp."

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

DISPOSITION: February 21, 1945. The Farm Bureau Products Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be used as fox feed, under the supervision of the Food and Drug Administration.

8460. Adulteration and misbranding of tomato puree. U. S. v. San Martin Canning Co. Plea of nolo contendere. Fine, \$400. (F. D. C. No. 14294. Sample Nos. 65613-F, 65618-F, 66170-F.)

INFORMATION FILED: February 28, 1945, Northern District of California, against the San Martin Canning Co., a corporation, San Martin, Calif.

ALLEGED SHIPMENT: On or about December 23, 1943, and January 5, 1944, from the State of California into the States of New York and Connecticut.

LABEL, IN PART: (Cans) "Net Contents 6 Lbs. 8 Oz. Calirose Brand Tomato Puree Packed For A. M. Beebe Company, Inc. San Francisco."

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

Misbranding, Section 403 (e) (2), the label failed to bear an accurate statement of the quantity of the contents, since the cans contained less than the stated amount.