

10452. Adulteration of canned sweet potatoes. U. S. v. 145 Cases * * *.
(F. D. C. No. 18220. Sample No. 398-H.)

LIBEL FILED: October 30, 1945, Southern District of Georgia.

ALLEGED SHIPMENT: On or about December 27, 1944, by Charles R. Allen, from Charleston, S. C.

PRODUCT: 145 cases, each containing 24 cans, of sweet potatoes at Brunswick, Ga. Examination showed that the product had undergone decomposition.

LABEL, IN PART: (Can) "Kett's Kettle Brand Net Contents 1 Lb. 13 Oz. Selected Golden Mashed Sweet Potatoes Packed by Ketteringham Canning Co., Ville Platte, La."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: January 15, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

TOMATOES AND TOMATO PRODUCTS

10453. Adulteration of canned tomatoes. U. S. v. 1,825 Cases * * *. (F. D. C. No. 21746. Sample No. 67378-H.)

LIBEL FILED: On or about November 22, 1946, Northern District of Oklahoma.

ALLEGED SHIPMENT: On or about August 10, 1946, by the Appleby-Young Canning Co., from West Fork, Ark.

PRODUCT: 1,825 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Tulsa, Okla.

LABEL, IN PART: "Western Star Hand Packed Tomatoes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: January 2, 1947. The Appleby-Young Canning Co., claimant, having consented to the entry of a decree, 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 Federal Security Agency.

10454. Adulteration and misbranding of canned tomatoes. U. S. v. 74 and 698 Cases * * *. (F. D. C. Nos. 21664, 21676. Sample Nos. 1699-H, 3763-H.)

LIBELS FILED: November 22 and 25, 1946, Middle District of North Carolina.

ALLEGED SHIPMENT: On or about July 25 and August 27, 1946, by Taylor & Sledd, Inc., from Richmond, Va.

PRODUCT: 74 cases and 698 cases, each case containing 24 1-pound, 3-ounce cans, of tomatoes at Concord and Burlington, N. C., respectively.

LABEL, IN PART: "Kinsale Brand Tomatoes * * * Packed by Kinsale Canning Co. Kinsale, Va.," or "Green Vale Brand * * * Tomatoes Packed by R. E. Dobyns Monaskon, Va."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), (Burlington lot) the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

Misbranding, Section 403 (h) (1), (Concord lot) the article fell below the standard of quality for canned tomatoes by reason of an excess of tomato peel.

DISPOSITION: December 27, 1946, and January 17, 1947. Taylor & Sledd, Inc., claimant for the Concord lot, having consented to the entry of a decree, and no claimant having appeared for the Burlington lot, judgments of condemnation were entered. It was ordered that the Concord lot be released under bond for relabeling under the supervision of the Federal Security Agency, and that the Burlington lot be destroyed.

10455. Misbranding of canned tomatoes. U. S. v. 9,800 Cases * * *. (F. D. C. No. 22131. Sample No. 66003-H.)

LIBEL FILED: December 26, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: Between the approximate dates of September 10 and 17, 1946, by Bay Country Foods, Inc., from Hopewell, Md.

PRODUCT: 9,800 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Philadelphia, Pa.

LABEL, IN PART: "Hopewell Brand Tomatoes * * * Packed By Hopewell Canning Co., Hopewell, Md."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article fell below the standard of quality for canned tomatoes because of an excess of tomato peel and blemishes, and its label failed to bear a statement, in accordance with the regulations, that it fell below the standard.

DISPOSITION: January 16, 1947. The United Container Co., Philadelphia, Pa., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled under the supervision of the Food and Drug Administration.

10456. Misbranding of canned tomatoes. U. S. v. 2,000 Cases * * *. (F. D. C. No. 21805. Sample No. 40477-H.)

LABEL FILED: October 24, 1946, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about July 25, 1946, by the Baron Canning Co., from Westville, Okla.

PRODUCT: 2,000 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at St. Louis, Mo.

LABEL, IN PART: "Baron Brand Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article fell below the standard of quality prescribed for canned tomatoes since it failed to meet the requirement for strength and redness of color and since it contained excessive tomato peel and blemishes; and its label failed to bear a statement, as prescribed by the regulations, that it fell below the standard.

DISPOSITION: December 27, 1946. The Baron Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling in compliance with the law, under the supervision of the Federal Security Agency.

10457. Misbranding of canned tomatoes. U. S. v. 1,437 Cases * * *. (F. D. C. No. 21644. Sample No. 49956-H.)

LABEL FILED: November 19, 1946, Northern District of Alabama.

ALLEGED SHIPMENT: On or about August 19, 1946, by Virginia Food Products, Inc., Litwalton, Va., from Richmond, Va.

PRODUCT: 1,437 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Sheffield, Ala.

LABEL, IN PART: "Ridgefield Brand * * * Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article fell below the standard of quality prescribed for canned tomatoes because of its low drained weight and excessive tomato peel.

DISPOSITION: January 27, 1947. Virginia Food Products, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled in compliance with the law, under the supervision of the Federal Security Agency.

10458. Misbranding of canned tomatoes. U. S. v. 534 Cases * * *. (F. D. C. No. 21950. Sample No. 61782-H.)

LABEL FILED: December 19, 1946, Eastern District of Washington.

ALLEGED SHIPMENT: On or about September 12, 1946, by Seiter's, Inc., from Post Falls, Idaho.

PRODUCT: 534 cases, each containing 24 1-pound, 12-ounce cans, of tomatoes at Spokane, Wash.

LABEL, IN PART: "Blue and White Tomatoes * * * Red & White Corp'n. Distributors, Chicago, Ill."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article was sub-standard in quality because the drained weight was less than 50 percent of the weight of water required to fill the container.