

11063. Adulteration and misbranding of tomato puree. U. S. v. 25 Cases * * *
(F. D. C. No. 19267. Sample No. 51037-H.)

LIBEL FILED: March 21, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about December 4, 1945, by the Kennard Food Products Co., from Kennard, Ind.

PRODUCT: 25 cases, each containing 6 6-pound, 8-ounce cans, of tomato puree at Pipestone, Minn.

LABEL, IN PART: "Kennard Brand * * * Indiana Tomato Puree."

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

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for tomato puree since it contained less than 8.37 percent of salt-free tomato solids, the minimum permitted by the regulations.

DISPOSITION: August 5, 1946. No claimant having appeared, judgment was entered ordering the product denatured for use as animal feed, under the supervision of the Food and Drug Administration; otherwise, the product was to be destroyed.

11064. Adulteration of tomato puree and tomato juice. U. S. v. 495 Cases * * *
(and 2 other seizure actions). (F. D. C. Nos. 19768, 19769, 19938. Sample Nos. 8818-H, 8820-H, 8822-H.)

LIBELS FILED: May 7 and 21, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about March 7, 1946, by the Great Lakes Canning Co., from Dundee, Mich.

PRODUCT: 825 cases, each containing 6 6-pound, 9-ounce cans, of tomato puree and 346 cases, each containing 6 3-quart cans, of tomato juice at New York, N. Y.

LABEL, IN PART: "Pride of Dundee Tomato Puree [or "Tomato Juice"]."

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

DISPOSITION: May 21 and August 2, 1946. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

11065. Adulteration and misbranding of tomato puree and adulteration of tomato paste. U. S. v. 1,496 Cases * * *
(and 2 other seizure actions). (F. D. C. Nos. 19250, 19261, 19415. Sample Nos. 8444-H, 46790-H, 46791-H.)

LIBELS FILED: On or about February 28 and March 6 and 11, 1946, Southern District of New York, District of Connecticut, and Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 20, 1945, and January 14 and 15, 1946, by Parrott & Co., from San Francisco, Calif.

PRODUCT: 1,496 cases, each containing 6 6-pound, 12-ounce cans, of tomato puree at New York, N. Y.; 150 cases, each containing 96 6-ounce cans, of tomato paste at East Hartford, Conn.; and 187 cases, each containing 24 cans, of tomato puree at Allentown, Pa. Examination showed that the Allentown lot was short-weight and that the other lots contained decomposed tomato material.

LABEL, IN PART: "Royal Scarlet Fancy Heavy Tomato Puree * * * Distributors R. C. Williams & Co., Inc. New York, N. Y.," "Finast Brand Tomato Paste," or "Contents 1 Lb. 13 Oz. Valley Belt Brand Tomato Puree."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the New York and East Hartford lots of the article consisted in whole or in part of a decomposed substance.

Misbranding, Section 403 (e) (2), the Allentown lot failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: March 22, April 4, and June 22, 1946. Parrott & Co., San Francisco, Calif., and Reeves Parvin and Co., Philadelphia, Pa., having appeared as claimants for the New York and Allentown lots, respectively, and having admitted the allegations of the libels, and no claimant having appeared for the East Hartford lot, judgments of condemnation were entered. It was ordered