

PRODUCT: 726 cases, each containing 24 10-ounce packages, of frozen asparagus at Baltimore, Md.

LABEL, IN PART: "Net Weight 10 Oz. Avoir. Carpel's Quick Frosted Asparagus * * * Packed For Carpel Frosted Foods, Inc. Washington, D. C."

NATURE OF CHARGE: Misbranding, Section 403 (d), the container was so filled as to be misleading since the packages were not filled to capacity, as an additional two ounces of asparagus could be placed in each package.

DISPOSITION: November 18, 1946. Carpel Frosted Foods, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for repacking under the supervision of the Food and Drug Administration.

11675. Adulteration of frozen cauliflower. U. S. v. 2,063 Cartons * * * (F. D. C. No. 21177. Sample Nos. 44492-H, 44494-H.)

LABEL FILED: October 9, 1946, Southern District of California.

ALLEGED SHIPMENT: On or about November 6, 1945, by Midfield Packers, from Olympia, Wash.

PRODUCT: 2,063 20-pound cartons of frozen cauliflower at Los Angeles, Calif. Examination showed that the article was sour.

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

DISPOSITION: October 30, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11676. Adulteration of frozen peas. U. S. v. 400 Boxes * * * (F. D. C. No. 20779. Sample No. 3968-H.)

LABEL FILED: On or about September 9, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about July 8, 1946, by John S. Isaacs & Sons, from Ellendale, Del.

PRODUCT: 400 50-pound boxes of frozen peas at Haddonfield, N. J.

LABEL, IN PART: "Early June Peas."

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

DISPOSITION: October 11, 1946. No claimant having appeared, judgment of condemnation was entered ordering the product destroyed.

TOMATOES AND TOMATO PRODUCTS*

11677. Adulteration of tomato paste. U. S. v. Parodi, Erminio & Co., Inc., and Russell Simi. Pleas of nolo contendere. Fine of \$50 against the individual defendant; case against corporate defendant dismissed upon payment of fine imposed upon the individual defendant. (F. D. C. No. 20937. Sample Nos. 46041-H, 46042-H.)

INFORMATION FILED: October 10, 1946, Northern District of California, against Parodi, Erminio & Co., Inc., San Francisco, Calif., and Russell Simi, vice president.

ALLEGED SHIPMENT: On or about December 18, 1945, from the State of California into the State of Nevada.

LABEL, IN PART: "6 In 1 Brand Tomato Paste * * * Packed By Escalon Packers Inc. Escalon Calif."

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

DISPOSITION: October 11, 1946. Pleas of nolo contendere having been entered on behalf of both defendants, the court imposed a fine of \$25 on each count against the individual defendant, a total fine of \$50. The case against the corporate defendant was ordered dismissed upon payment of the fine imposed upon the individual defendant.

11678. Misbranding of tomato paste. U. S. v. 197 Cartons * * * (F. D. C. No. 21212. Sample No. 70618-H.)

*See also No. 11510.