

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 8.37 percent of salt-free tomato solids had been substituted for tomato puree.

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.

DISPOSITION: June 22, 1948. The Sweet Life Food Corp., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be utilized in the production of alimentary pastes with tomato sauce, under the supervision of the Food and Drug Administration.

13677. Adulteration and misbranding of tomato puree. U. S. v. 500 Cases
* * * (F. D. C. No. 22181. Sample No. 64826-H.)

LIBEL FILED: January 13, 1947, Eastern District of New York.

ALLEGED SHIPMENT: On or about November 1, 1946, by S. M. Schiff, from Bassett, Calif.

PRODUCT: 500 cases, each containing 6 6-pound, 8-ounce cans, of tomato puree at Maspeth, Long Island, N. Y.

LABEL, IN PART: "Tamco Brand Tomato Puree * * * Packed by Tastemore Canning Co., Baldwin Park Calif."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 8.37 percent of salt-free tomato solids had been substituted for tomato puree.

Misbranding, Section 403 (g) (1), the article 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 standard.

DISPOSITION: June 22, 1948. The Sweet Life Food Corp., Maspeth, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for use in the production of alimentary pastes with tomato sauce, under the supervision of the Food and Drug Administration.

13678. Misbranding of tomato puree. U. S. v. 382 Cases * * * (F. D. C. No. 24626. Sample Nos. 6445-K, 6838-K.)

LIBEL FILED: May 6, 1948, Western District of New York.

ALLEGED SHIPMENT: On or about October 2, 1946, by the Califruit Canning Co., from Manteca, Calif.

PRODUCT: 382 cases, each containing 48 cans, of tomato puree at Rochester, N. Y.

LABEL, IN PART: "Valia Brand Tomato Puree Contents 10½ Ounces Avd."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than 10½ ounces.)

DISPOSITION: September 22, 1948. The United Wholesale Grocers Co., Rochester, N. Y., 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 under the supervision of the Food and Drug Administration.

13679. Misbranding of tomato puree. U. S. v. 78 Cases, etc. (F. D. C. No. 24616. Sample Nos. 26785-K, 26786-K.)

LIBEL FILED: April 29, 1948, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about January 9, 1948, by the Uddo & Taormina Co., from Crystal Springs, Miss.

PRODUCT: Tomato puree. 78 cases, each containing 6 No. 10 cans, and 66 cases, each containing 100 4¾-ounce cans, at Little Rock, Ark.

LABEL, IN PART: (Portion) "Baby Brand Tomato Puree Net Contents 4¾ Oz."; (remainder) "Baby Brand Tomatoes Contents 10 Oz."

NATURE OF CHARGE: 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; and, Section 403 (e) (2), (No. 10 cans) the product failed to bear a label containing an accurate