

**PRODUCT:** Tomato juice. 251 cases, each containing 12 unlabeled 46-ounce cans, and 90 cases, each containing 12 1-quart, 14-ounce cans, at Philadelphia, Pa.

**LABEL, IN PART:** (One lot) "Net Contents 1 Qt. 14 Fl. Oz. Farm Fresh Brand Grade 'A' Fancy Tomato Juice." The remaining lots were unlabeled.

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

Unlabeled lots. Misbranding, Section 403 (e), the product failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of the contents; and, Section 403 (g) (2), the product purported to be tomato juice, a food for which a definition and standard of identity has been prescribed by the regulations, and did not bear a label containing the name of the food specified in the definition and standard.

**DISPOSITION:** September 14, 1948. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**13706. Misbranding of tomato juice. U. S. v. 1,167 Cases \* \* \* (and 1 other seizure action). (F. D. C. Nos. 23040, 23134. Sample Nos. 68048-H, 91333-H, 91347-H.)**

**LIBELS FILED:** May 16 and 23, 1947, District of Nebraska and Southern District of New York.

**ALLEGED SHIPMENT:** On or about November 14, and December 3, 6, and 10, 1946, by Colo-Flavor Products, Inc., Palisade, Colo.

**PRODUCT:** Tomato juice. 1,167 cases at Lincoln, Nebr., and 3,150 cases at New York, N. Y. Each case contained 12 cans.

**LABEL, IN PART:** "Contents 1 Quart 14 Fl. Ozs. Colo-Flavor Brand Tomato Juice with Salt Added Packed and Distributed by Farmers Union Marketing Assn. Denver, Colo." or "Co-Op Tomato Juice \* \* \* Contents 1 Qt. 14 Fl. Oz. Packed For National Co-Operatives Inc. Chicago, Illinois."

**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 the labeled 1-quart, 14-fluid ounces.)

**DISPOSITION:** June 13 and August 15, 1947. Colo-Flavor Products, Inc., claimant, having consented to the entry of the decrees, judgments of condemnation were entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

**13707. Adulteration of fenugreek tea. U. S. v. 11 Packages, etc. (F. D. C. No. 23345. Sample Nos. 76901-H, 83959-H, 86960-H.)**

**LIBEL FILED:** July 9, 1947, District of Minnesota.

**ALLEGED SHIPMENT:** Between the approximate dates of September 1, 1946, and May 27, 1947, by Nutritional Enterprises, from Chicago, Ill.

**PRODUCT:** Fenugreek tea. 11 4-ounce packages, 17 4-pound packages, and 13 1-pound packages, at Minneapolis, Minn.

**LABEL, IN PART:** "Lelord Kordel's Fenugreek tea."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, rodent hairs, and rodent excreta fragments.