

TOMATO AND TOMATO PRODUCTS*

3842. Misbranding of tomato puree and canned tomatoes. U. S. v. 63 Cases, etc.
(F. D. C. No. 25362. Sample Nos. 12565-K to 12567-K, incl.)

LABEL FILED: August 11, 1948, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about March 29, May 16, and June 11, 1948, by Paul Coccia, from Camden, N. J.

PRODUCT: 63 cases, each containing 24 1-pound, 4-ounce cans, of tomato puree, and 12 cases, each containing 24 1-pound, 11-ounce cans, and 72 cases, each containing 24 1-pound, 12-ounce cans, of tomatoes at Philadelphia, Pa.

LABEL, IN PART: "Coccia Brand Tomato Puree," "Tomatoes Fort Crawford [or "Prairie City"] Packed by Prairie City Canning Co., Prairie Du Chien, Wis.," or "Alesco Brand Tomatoes * * * Packed for New Jersey Italian Food Products Company Camden, New Jersey."

NATURE OF CHARGE: Canned tomatoes. 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.

Tomato puree. Misbranding, Section 403 (g) (1), the product failed to conform to the standard of identity for tomato puree since it contained less than 8.37 percent of salt-free tomato solids. Further misbranding, Section 403 (e) (1), the product failed to bear a label containing the name of the manufacturer, packer, or distributor.

DISPOSITION: October 11, 1948. Default decree of condemnation and destruction.

13843. Adulteration and misbranding of tomato puree. U. S. v. 17 Cases * * *.
(F. D. C. No. 25465. Sample No. 9568-K.)

LABEL FILED: August 17, 1948, Eastern District of New York.

ALLEGED SHIPMENT: On or about June 13, 1948, by the Paul Coccia Cannery, from Camden, N. J.

PRODUCT: 17 cases, each containing 24 1-pound, 12-ounce cans, of tomato puree at Brooklyn, N. Y.

LABEL, IN PART: (Can) "Alesco Brand Tomato Puree Net Weight 1 Lb. 12 Oz."

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 purported to be and was represented as tomato puree, a food for which a definition and standard of identity had been prescribed by regulations, and it failed to conform to such standard since it contained less than 8.37 percent of salt-free tomato solids.

DISPOSITION: October 18, 1948. Default decree of condemnation and destruction.

13844. Misbranding of tomato puree. U. S. v. Rosario Raspanti. Plea of guilty. Fine, \$500. (F. D. C. No. 25292. Sample Nos. 26785-K, 26786-K.)

INFORMATION FILED: September 15, 1948, Southern District of Mississippi, against Rosario Raspanti, at the time of the shipment referred to hereinafter, a partner in the firm of Uddo & Taormina Co., Crystal Springs, Miss.

*See also Nos. 13704-13706.