

DISPOSITION: May 2, 1949. The Triangle Sales Corp. of Lynn, Mass., 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.

14644. Misbranding of canned tomatoes. U. S. v. 414 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 24297, 24355. Sample Nos. 20967-K, 21420-K.)

LABELS FILED: January 14 and March 2, 1948, Northern District of Oklahoma.

ALLEGED SHIPMENT: On or about August 14 and 16, 1947, by the Johnson & Steele Canning Co., from West Fork, Ark.

PRODUCT: 1,012 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Bristow and Tulsa, Okla.

LABEL, IN PART: "Little Mill Brand Tomatoes * * * Packed for Springdale Canning Co. Springdale, Ark." and "Nancy Lee Brand Tomatoes Packed for Steele Canning Co. Springdale, Ark."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article fell below the standard of quality prescribed for canned tomatoes since it failed to meet the requirements for strength and redness of color, and its label failed to bear a statement that it fell below such standard.

DISPOSITION: February 20 and March 17, 1948. Joe M. Steele, doing business as the Springdale Canning Co. and the Steele Canning Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

14645. Misbranding of canned tomatoes. U. S. v. 597 Cases * * *. (F. D. C. No. 25744. Sample No. 23258-K.)

LABEL FILED: September 14, 1948, Western District of Louisiana.

ALLEGED SHIPMENT: On or about August 2, 1948, by the Athens Canning Co., from Athens, Tex.

PRODUCT: 597 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at De Quincy, La.

LABEL, IN PART: "Homefolk Brand Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes, and it was not labeled to show that it was substandard. It failed to meet the test for strength and redness of color, and it contained excessive peel.

DISPOSITION: October 22, 1948. The Athens Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

14646. Misbranding of canned tomatoes. U. S. v. 473 Cases * * *. (F. D. C. No. 23719. Sample No. 49732-H.)

LABEL FILED: September 29, 1947, Western District of Louisiana.

ALLEGED SHIPMENT: On or about June 21, 1947, by the Bennett-Ray Canning Co., from Pharr, Tex.

PRODUCT: 473 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Lafayette, La.

LABEL, IN PART: "Trappey's Shield Label Tomatoes * * * Packed by B. F. Trappey's Sons Inc., Lafayette, Louisiana."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Packed by B. F. Trappey's Sons Inc." was false and misleading since the product was not packed by that firm; and, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes since it was below standard in color and contained excessive peel, and it failed to bear the substandard legend.

DISPOSITION: January 5, 1948. The Bennett-Ray Canning Co., 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.

14647. Adulteration of tomato catsup. U. S. v. 449 Cases * * *. (F. D. C. No. 24424. Sample No. 24944-K.)

LIBEL FILED: January 23, 1948, Southern District of Iowa.

ALLEGED SHIPMENT: On or about October 15, 1947, by the Fettig Canning Corp., from Elwood, Ind.

PRODUCT: 449 cases, each containing 24 14-ounce bottles, of tomato catsup at Davenport, Iowa.

LABEL, IN PART: "Mary's Choice Tomato Catsup."

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.

DISPOSITION: March 26, 1948. Default decree of condemnation and destruction.

14648. Adulteration of tomato catsup. U. S. v. 39 Cases * * *. (F. D. C. No. 26432. Sample No. 2566-K.)

LIBEL FILED: January 31, 1949, Northern District of West Virginia.

ALLEGED SHIPMENT: On or about October 25, 1948, by the Fettig Canning Corp., from Elwood, Ind.

PRODUCT: 39 cases, each containing 24 14-ounce bottles, of tomato catsup at Gypsy, W. Va.

LABEL, IN PART: (Bottle) "Mary's Choice Tomato Catsup."

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.

DISPOSITION: February 23, 1949. Default decree of condemnation and destruction.

14649. Adulteration of tomato catsup. U. S. v. 77 Cases * * *. (F. D. C. No. 26387. Sample No. 40166-K.)

LIBEL FILED: On or about January 19, 1949, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about November 18, 1948, by the Morgan Packing Co., from Austin, Ind.

PRODUCT: 77 cases, each containing 24 14-ounce bottles, of tomato catsup at Richmond, Va.

LABEL, IN PART: (Bottles) "American Beauty * * * Tomato Catsup."