

the court ordered that this lot be released under bond for segregation of the unfit portion, under the supervision of the Federal Security Agency. A total of 375 cases of the 1,490 cases of the product under seizure were segregated as unfit and were destroyed.

No claimant having appeared for the Olean, N. Y., lot of the product, judgment of condemnation was entered on January 12, 1948, and the court ordered that this lot be destroyed.

**15153. Adulteration of canned pineapple juice. U. S. v. 299 Cases * * *
(F. D. C. No. 27307. Sample No. 1241-K.)**

LABEL FILED: June 9, 1949, Eastern District of South Carolina.

ALLEGED SHIPMENT: On or about April 1, 1949, by Manati Packing Co., Inc., from Manati, P. R.

PRODUCT: 299 cases, each containing 6 3-quart cans, of pineapple juice at Charleston, S. C.

LABEL, IN PART: "Dew Dipt Unsweetened Pineapple Juice."

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 pineapple material.

DISPOSITION: August 15, 1949. Default decree of condemnation and destruction.

15154. Adulteration of tomato juice. U. S. v. Garden State Canning Co., a corporation, and Norman W. Frazer and Harold R. Gray. Corporation and Norman W. Frazer each fined \$1,000; sentence suspended against Harold R. Gray. All defendants placed on 5 years' probation. (F. D. C. No. 24820. Sample Nos. 9366-K, 13042-K, 13044-K.)

INFORMATION FILED: July 7, 1948, District of New Jersey, against the Garden State Canning Co., Hightstown, N. J., Norman W. Frazer, president, and Harold R. Gray, secretary-treasurer.

ALLEGED SHIPMENT: Between the approximate dates of October 23, 1947, and January 22, 1948, from the State of New Jersey into the States of New York and Pennsylvania.

LABEL, IN PART: "Kontos Brand Tomato Juice * * * Kontos Bros. Inc. Distributors New York, N. Y." or "Norris Tomato Juice * * * Distributed By Schuylkill Valley Grocery Co., Inc. Bridgeport, Pa."

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 18, 1948. Pleas of guilty having been entered, the corporation and Norman W. Frazer were each fined \$1,000; sentence was suspended against Harold R. Gray; and all of the defendants were placed on 5 years' probation. The court further ordered that during the period of the probation, the defendants have nothing to do either directly or indirectly with any tomato product except whole tomatoes; that the 3,000 cases of tomato juice stored at the cannery be examined by the Department of Agriculture; and that the unfit portion be destroyed under the supervision of the Food and Drug Administration.

In addition, the court ordered the corporate defendant and Norman W. Frazer each to pay \$500 for violation of the terms of probation imposed on

July 14, 1947, the time of a previous criminal conviction against the defendants. See notices of judgment on foods, No. 12604.

15155. Adulteration of tomato juice. U. S. v. 34 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 26822, 26838, 26839. Sample Nos. 46119-K, 49233-K, 53149-K.)

LIBELS FILED: March 17, 18, and 22, 1949, Northern District of Texas and Western District of Missouri.

ALLEGED SHIPMENT: On or about October 2 and 18, November 6, and December 1, 1948 by the Vincennes Packing Corp., Vincennes and Seymour, Ind.

PRODUCT: Tomato juice. 34 cases, each containing 48 13½-ounce cans, at Fort Worth, Tex.; 130 cases, each containing 12 1-quart, 14-fluid ounce cans, at Lubbock, Tex.; and 139 cases, each containing 12 1-quart, 14-fluid ounce cans, at Joplin, Mo.

LABEL, IN PART: "White Swan * * * Tomato Juice" or "Shurfine Tomato Juice."

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: May 9 and 11 and June 2, 1949. The Vincennes Packing Corp. having appeared as claimant, judgments of condemnation were entered and the court ordered that the product be released under bond to be segregated, reconditioned, destroyed or brought into compliance with the law, under the supervision of the Food and Drug Administration. Of the 139 cases seized at Joplin, 63 cases were destroyed and the remainder were released. Salvage of the 25 cases seized at Fort Worth and the 55 cases seized at Lubbock was unsuccessful, and both lots were destroyed.

15156. Adulteration of coffee sweeps. U. S. v 6,000 Pounds * * * (and 1 other seizure action). (F. D. C. Nos. 27189, 27191. Sample Nos. 10181-K, 11603-K.)

LIBELS FILED: May 9, 1949, Eastern District of New York.

ALLEGED SHIPMENT: On or about February 9, March 14, and April 2, 1949, from Brazil.

PRODUCT: Approximately 7,500 pounds of coffee sweeps at Brooklyn, N. Y.

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 manure, wood splinters, oil, dirt, and other foreign material; and, Section 402 (a) (4) it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: June 17, 1949. Default decree of condemnation and destruction.

CANDY AND SUGAR

15157. Adulteration of candy. U. S. v. Fisher Nut & Chocolate Co., Inc., Sam S. Fisher, and Elmer C. Muggenburg. Plea of guilty by corporation; fine, \$1,500. Pleas of nolo contendere by individual defendants; Sam S. Fisher fined \$450, and Elmer C. Muggenburg fined \$50. (F. D. C. No. 24514. Sample Nos. 14907-K, 15514-K, 16815-K, 16820-K, 18015-K, 25036-K.)