

**BEVERAGES AND BEVERAGE MATERIALS**

**16251. Adulteration of peach nectar. U. S. v. 8 Cases \* \* \* (and 1 other seizure action). (F. D. C. Nos. 28575, 28644. Sample Nos. 58645-K, 58658-K.)**

**LIBELS FILED:** December 22, 1949, and January 13, 1950, Western District of Washington.

**ALLEGED SHIPMENT:** On or about November 4 and December 28, 1949, by the Pure Foods Corp., from Los Angeles, Calif.

**PRODUCT:** 17 cases, each containing 96 6-ounce cans, of peach nectar at Seattle, Wash.

**LABEL, IN PART:** "Golden Flow Brand Peach Nectar."

**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 insects, insect fragments, and insect excreta.

**DISPOSITION:** May 25, 1950. Default decrees of condemnation. The court ordered that 8 cases be delivered to the Food and Drug Administration and that the remaining cases be destroyed.

**16252. Adulteration of tomato juice. U. S. v. 1,298 Cases (and 1 other seizure action). (F. D. C. Nos. 28871, 28889. Sample Nos. 76614-K, 76622-K.)**

**LIBELS FILED:** February 21 and March 8, 1950, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about January 20 and 24, 1950, by the Comstock Canning Corp., from Fairport and Macedon, N. Y.

**PRODUCT:** Tomato juice. 1,298 cases, each containing 24 1-pint, 2-fluid-ounce cans, and 1,500 cases, each containing 12 1-quart, 14-fluid-ounce cans, at St. Louis, Mo.

**LABEL, IN PART:** (Can) "Red Robe [or "American Lady" or "Topmost"] 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:** March 30 and April 4, 1950. The Comstock Canning Corp., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. 731 cases were released as fit for use, and 1,796 cases were destroyed.

**16253. Adulteration of tomato juice. U. S. v. 697 Cases \* \* \*. (F. D. C. No. 28643. Sample No. 54726-K.)**

**LIBEL FILED:** January 11, 1950, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about November 2, 1949, by G. L. Webster & Co., Inc., from Cheriton, Va.

**PRODUCT:** 697 cases, each containing 24 1-pint, 2-ounce cans, of tomato juice at Harahan, La.

**LABEL, IN PART:** "Iona Tomato Juice."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed that the product contained decomposed tomato material.)

**DISPOSITION:** February 14, 1950. A default decree of condemnation and destruction was entered with respect to 638 cases of tomato juice which had been seized by the United States marshal on January 17, 1950. On March 7, 1950, an amended decree was entered condemning and ordering the destruction of an additional 80 cases and 21 cans of tomato juice which had been seized by the United States marshal on January 30, 1950, pursuant to the libel.

**16254. Adulteration of tomato juice. U. S. v. 480 Cases \* \* \*. (F. D. C. No. 28961. Sample No. 60371-K.)**

**LIBEL FILED:** April 12, 1950, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about March 24, 1950, from Fort Wayne, Ind. This was a return shipment.

**PRODUCT:** 480 cases, each containing 12 1-quart, 14-fluid-ounce cans, of tomato juice at Edgerton, Ohio.

**LABEL, IN PART:** (Can) "Little Elf 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 4, 1950. Default decree of condemnation and destruction.

**16255. Misbranding of tomato juice. U. S. v. 418 Cases \* \* \*. (F. D. C. No. 28951. Sample No. 65513-K.)**

**LIBEL FILED:** April 28, 1950, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about November 3, 1948, by the Wann Packing Co., from Elwood, Ind.

**PRODUCT:** 418 cases, each containing 24 unlabeled cans, of tomato juice at Chicago, Ill.

**LABEL, IN PART:** (Cases) "Tomato Juice."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for tomato juice since it contained seeds, whereas the regulations require that tomato juice be strained free from seeds.

**DISPOSITION:** June 14, 1950. Default decree of condemnation. The court ordered that the product be delivered to a public institution.

**16256. Adulteration of tomato juice. U. S. v. 195 Cases \* \* \*. (F. D. C. No. 28968. Sample No. 67404-K.)**

**LIBEL FILED:** On or about April 12, 1950, Western District of Virginia.

**ALLEGED SHIPMENT:** On or about March 17, 1950, by the St. Marys Packing Co., from Van Wert, Ohio.

**PRODUCT:** 195 cases, each containing 24 1-pint, 2-fluid-ounce cans, of tomato juice at Roanoke, Va.

**LABEL, IN PART:** (Can) "Kroger Tomato Juice."