

the peas in the container were more than 23.5 percent, and the label failed to bear the statement that the product fell below the standard.

**DISPOSITION:** June 7, 1950. Stokely-Van Camp, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond, to be relabeled under the supervision of the Food and Drug Administration.

**16444. Adulteration of canned pumpkin. U. S. v. 240 Cases \* \* \*. (F. D. C. No. 28962. Sample No. 43262-K.)**

**LIBEL FILED:** April 11, 1950, Eastern District of Michigan.

**ALLEGED SHIPMENT:** On or about March 2, 1950, by the C. D. Kenny Co., from Columbus, Ohio.

**PRODUCT:** 240 cases, each containing 6 1-pound, 13-ounce cans, of pumpkin at Blissfield, Mich.

**LABEL, IN PART:** "Kenny's Golden Pumpkin."

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

**DISPOSITION:** June 9, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

#### TOMATOES AND TOMATO PRODUCTS\*

**16445. Adulteration of canned tomatoes. U. S. v. 119 Cases \* \* \*. (F. D. C. No. 29281. Sample No. 48746-K.)**

**LIBEL FILED:** June 20, 1950, Middle District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about March 28, 1950, by the Violet Packing Co., From Williamstown, N. J.

**PRODUCT:** 119 cases, each containing 24 cans, of tomatoes at Wilkes-Barre, Pa.

**LABEL, IN PART:** (Can) "Topper Tomatoes Contents 1 Lb. 12 Oz."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of fly eggs and maggots.

**DISPOSITION:** July 21, 1950. Default decree of condemnation and destruction.

**16446. Adulteration and misbranding of tomato puree. U. S. v. Akin Food Products Co., Inc., and Harold L. Akin. Pleas of guilty. Fine of \$200 against corporation; fine of \$100 against individual defendant suspended, and defendant placed on probation for 5 years. (F. D. C. No. 29143. Sample Nos. 54286-K, 54310-K.)**

**INFORMATION FILED:** April 28, 1950, Southern District of Texas, against Akin Food Products Co., Inc., Mission, Tex., and Harold L. Akin, president.

**ALLEGED SHIPMENT:** On or about September 23, 1949, from the State of Texas into the State of Louisiana.

**LABEL, IN PART:** "Val-Tex Brand Tomato Puree."

**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.

\*See also Nos. 16404-16408.