

## TOMATOES AND TOMATO PRODUCTS\*

16842. Misbranding of canned tomatoes. U. S. v. 1,209 Cases \* \* \*.  
(F. D. C. No. 29811. Sample No. 82249-K.)

**LABEL FILED:** October 18, 1950, Southern District of West Virginia.

**ALLEGED SHIPMENT:** On or about August 21, 1950, by Thomas Roberts & Co.,  
from Salisbury, Md.

**PRODUCT:** 1,209 cases, each containing 6 No. 10 cans, of tomatoes at Charleston,  
W. Va.

**LABEL, IN PART:** (Can) "Bel-Dine Tomatoes Contents 10 Oz."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the product fell below  
the standard of quality for canned tomatoes since the drained weight of the  
contents of the container was less than 50 percent of the weight of water re-  
quired to fill the container, and the label failed to bear a statement that the  
product fell below the standard; and the product contained tomato peel per  
pound of canned tomatoes which covered an area of more than one square  
inch, and the label failed to bear a statement that the product fell below the  
standard.

Further misbranding, Section 403 (e) (2), the product failed to bear a  
label containing an accurate statement of the quantity of the contents. (The  
cans were labeled "10 Oz." but contained an average of 6 pounds, 5.4 ounces.)

**DISPOSITION:** November 8, 1950. Thomas Roberts & Co., Salisbury, Md., claim-  
ant, having consented to the entry of a decree, judgment of condemnation was  
entered and the court ordered that the product be released under bond for  
relabeling, under the supervision of the Federal Security Agency.

16843. Misbranding of canned tomatoes. U. S. v. 988 Cases \* \* \*. (F. D. C.  
No. 29804. Sample No. 82245-K.)

**LABEL FILED:** October 16, 1950, Southern District of West Virginia.

**ALLEGED SHIPMENT:** On or about August 18, 1950, by Albert W. Sisk & Son, from  
Linkwood, Md.

**PRODUCT:** 988 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes  
at Charleston, W. Va.

**LABEL, IN PART:** (Can) "Salem Brand \* \* \* Tomatoes Packed By Salem  
Packing Co. Thos. J. Faulkner & Sons, Salem, Md."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the product fell below  
the standard of quality for canned tomatoes since the drained weight of the  
contents of the container was less than 50 percent of the weight of water re-  
quired to fill the container and the product contained tomato peel per pound  
of canned tomatoes which covered an area of more than one square inch, and  
the label failed to bear a statement that the product fell below the standard.

**DISPOSITION:** November 28, 1950. The Salem Packing Co., claimant, having  
consented to the entry of a decree, judgment of condemnation was entered and  
the court ordered that the product be released under bond for relabeling, under  
the supervision of the Federal Security Agency.

16844. Misbranding of canned tomatoes. U. S. v. 598 Cases \* \* \*. (F. D. C.  
No. 29785. Sample No. 66952-K.)

**LABEL FILED:** October 3, 1950, Middle District of North Carolina.

\*See also No. 16837.

**ALLEGED SHIPMENT:** On or about July 25, 1950, by the Hague Packing Co., from Hague, Va.

**PRODUCT:** 598 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Sanford, N. C.

**LABEL, IN PART:** "Powhatan Brand Tomatoes."

**NATURE OF CHARGE:** Misbranding, Section 403 (a) (4), the product fell below the standard of quality for canned tomatoes since the drained weight was less than 50 percent of the weight of water required to fill the container and the peel per pound of canned tomatoes in the container covered an area of more than one square inch, and the label failed to bear a statement that the product fell below the standard.

**DISPOSITION:** November 17, 1950. The Hague Packing 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.

**16845. Adulteration of tomato catsup. U. S. v. Frazier Packing Corp. Plea of guilty. Fined \$300. (F. D. C. No. 29602. Sample Nos. 70947-K, 70951-K.)**

**INFORMATION FILED:** July 27, 1950, Southern District of Indiana, against the Frazier Packing Corp., Elwood, Ind.

**ALLEGED SHIPMENT:** On or about February 9, 1950, from the State of Indiana into the State of Kansas.

**LABEL, IN PART:** "Santa Fe Brand Santa Fe Hot Tomato Catsup \* \* \* Distributed By The Ranney-Davis Merc. Co. Arkansas City, Kansas."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance by reason of the presence of decomposed tomato material.

**DISPOSITION:** August 17, 1950. A plea of guilty having been entered, the court imposed a fine of \$300.

**16846. Adulteration of tomato puree. U. S. v. 105 Cases \* \* \*. (F. D. C. No. 29884. Sample No. 77536-K.)**

**LIBEL FILED:** September 18, 1950, District of Missouri.

**ALLEGED SHIPMENT:** On or about July 18, 1950, by the Quality Products Co., from La Feria, Tex.

**PRODUCT:** 105 cases, each containing 48 10½-ounce cans, of tomato puree at St. Louis, Mo.

**LABEL, IN PART:** "Curtis Tomato Puree."

**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:** October 11, 1950. Default decree of condemnation and destruction.

## POULTRY

**16847. Adulteration of dressed poultry. U. S. v. 1,260 Pounds \* \* \*. (F. D. C. No. 29789. Sample No. 73136-K.)**

**LIBEL FILED:** October 6, 1950, Southern District of New York.