

**LABEL, IN PART:** "Can-D-Lite Brand Tomatoes."

**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 fly eggs and maggots; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes since it contained excessive peel.

**DISPOSITION:** January 22, 1951. Default decree of condemnation and destruction.

**17043. Adulteration and misbranding of tomato paste. U. S. v. 68 Cases \* \* \*.**  
(F. D. C. No. 30176. Sample No. 55067-K.)

**LIBEL FILED:** November 30, 1950, Northern District of Alabama.

**ALLEGED SHIPMENT:** On or about September 7, 1950, by the H. J. McGrath Co., from Baltimore, Md.

**PRODUCT:** 68 cases, each containing 100 6-ounce cans, of tomato paste at Birmingham, Ala.

**LABEL, IN PART:** "Plee-Zing Tomato Paste Naples Style."

**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.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for tomato paste since it contained less than 25 percent salt-free tomato solids.

**DISPOSITION:** February 19, 1951. Default decree of condemnation and destruction.

**17044. Adulteration of tomato puree. U. S. v. 100 Cases (and 2 other seizure actions).** (F. D. C. Nos. 30255 to 30257, incl. Sample Nos. 91824-K to 91826-K, incl.)

**LIBELS FILED:** November 16, 1950, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about September 29 and October 3 and 4, 1950, by Udde & Taormina Co., from Vineland, N. J.

**PRODUCT:** Tomato puree. 100 cases at Brooklyn, N. Y., 29 cases, at South Ozone Park, Long Island, N. Y., and 45 cases at Rosebank, Staten Island, N. Y. Each case contained 24 1-pound, 12-ounce cans.

**LABEL, IN PART:** "Mountain Beauty."

**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:** December 18, 1950. Default decrees of condemnation and destruction.

## NUTS

**17045. Adulteration and misbranding of mixed nuts. U. S. v. 228 Cases \* \* \*.**  
(F. D. C. Nos. 30279 to 30285, incl. Sample Nos. 43730-K, 43733-K to 43738-K, incl.)

**LIBEL FILED:** November 21, 1950, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about October 11, 1950, by William A. Higgins & Co., Inc., from New York, N. Y.