

House, and Massillon, Ohio. A number of the cases contained 6 6-pound, 2-ounce cans, and other cases contained 24 1-pound, 11-ounce (or 2-ounce) cans.

LABEL, IN PART: "Little Mill Brand [or "Scout Cabin," "Nancy Lee Brand," "Sugar Loaf Brand," "Highland," "Clarion Brand," "Nancy Jo Brand," "Honey Grove," "Pleezing," "IGA Garden," or "Clarion"] Spinach."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of worms.

DISPOSITION: Between February 28 and April 18, 1951. Default decrees of condemnation. The courts ordered that certain lots be delivered to public institutions for use as animal feed and that the other lots be destroyed.

TOMATOES AND TOMATO PRODUCTS

17182. Adulteration and misbranding of canned tomatoes. U. S. v. 299 Cases
* * * (F. D. C. No. 29868. Sample No. 84788-K.)

LIBEL FILED: November 9, 1950, Southern District of Ohio.

ALLEGED SHIPMENT: On or about September 26, 1950, by Merritt Food Products, Inc., from Sweetser, Ind.

PRODUCT: 299 cases, each containing 6 No. 10 cans, of tomatoes at Cincinnati, Ohio.

LABEL, IN PART: (Can) "Gold Coast Brand Net Contents 1 Lb. 12 Oz. Hand Packed Tomatoes."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), water had been added to the article and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for canned tomatoes since it contained added water, which is not permitted as an ingredient of canned tomatoes in such definition and standard; Section 403 (h) (1), the quality of the article fell below the standard of quality of canned tomatoes because of excessive peel, and the article failed to bear a statement that it fell below such standard; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the statement "Net Contents 1 Lb. 12 Oz." is inaccurate. (The average net weight of the article was 104.5 ounces.)

DISPOSITION: March 30, 1951. Merritt Food Products, 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 for conversion into a manufactured food product, such as chili sauce, etc., under the supervision of the Federal Security Agency.

17183. Adulteration and misbranding of tomato catsup. U. S. v. 91 Cases
* * * (F. D. C. No. 30393. Sample No. 67255-K.)

LIBEL FILED: January 23, 1951, District of Maryland.

ALLEGED SHIPMENT: On or about October 9, 1950, by The Brakeley Food Products Co., from Folsom, N. J.

PRODUCT: 91 cases, each containing 6 7-pound, 3 ounce cans, of tomato catsup at Baltimore, Md.