

18481. Adulteration of canned tomatoes. U. S. v. 150 Cases * * *. (F. D. C. No. 32230. Sample No. 5757-L.)

LIBEL FILED: December 11, 1951, District of Massachusetts.

ALLEGED SHIPMENT: On or about September 11, 1951, by National Retail Owned Grocers Coop., Inc., from Pocomoke, Md.

PRODUCT: 150 cases, each containing 24 1-pound, 12-ounce cans, of tomatoes at Springfield, Mass.

LABEL, IN PART: (Can) "Elmdale 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.

DISPOSITION: March 10, 1952. Default decree of condemnation and destruction.

18482. Misbranding of canned tomatoes. U. S. v. 1,128 Cases * * *. (F. D. C. No. 32164. Sample No. 31134-L.)

LIBEL FILED: November 26, 1951, Western District of Tennessee.

ALLEGED SHIPMENT: On or about September 17, 1951, by Hargis Canneries, Inc., from Fayetteville, Ark.

PRODUCT: 1,128 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Memphis, Tenn.

LABEL, IN PART: "Hargis Hand Packed Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes since the drained weight was less than 50% of the weight of water required to fill the container, and its label failed to bear a statement that the product fell below the standard.

DISPOSITION: March 4, 1952. The Watson Canning 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 to be relabeled under the supervision of the Food and Drug Administration.

18483. Adulteration of tomato paste. U. S. v. 1,470 Cases * * *. (F. D. C. No. 32500. Sample No. 3225-L.)

LIBEL FILED: February 8, 1952, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about May 10, 1951, by the Anglo-American & Overseas Corp., from Hoboken, N. J.

PRODUCT: 1,470 cases, each containing 10 cans, of tomato paste at Richmond, Va.

LABEL, IN PART: (Can) "Hungarian Tomato Paste Gschwindt" or "Tomato Paste Made in Hungary * * * Golden Pheasant."

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.