

**19388. Adulteration of tomato paste. U. S. v. 100 Cartons \* \* \*. (F. D. C. No. 33415. Sample No. 18004-L.)**

**LIBEL FILED:** June 23, 1952, Southern District of California.

**ALLEGED SHIPMENT:** On or about May 23, 1952, by the West Coast Packing Corp., from Long Beach, Calif.

**PRODUCT:** 100 cartons, each containing 6 6-pound, 12-ounce cans, of tomato paste at Long Beach, Calif.

**LABEL, IN PART:** (Can) "Campania Brand \* \* \* Tomato Paste."

**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:** September 22, 1952, and April 2, 1953. The sole intervener having consented to the entry of a decree, the court entered a judgment of condemnation and destruction.

**19389. Adulteration and misbranding of tomato puree. U. S. v. 542 Cases \* \* \*. (F. D. C. No. 33407. Sample No. 11033-L.)**

**LIBEL FILED:** June 17, 1952, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about September 21, 1951, by the Ray Bros. & Noble Canning Co., from Hobbs, Ind.

**PRODUCT:** 542 cases, each containing 24 1-pound, 3-ounce cans, of tomato puree at Cincinnati, Ohio.

**LABEL, IN PART:** "Indiana King Tomato Puree."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 8.37 percent of salt-free tomato solids had been substituted for tomato puree.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for tomato puree since it contained less than 8.37 percent of salt-free tomato solids.

**DISPOSITION:** July 21, 1952. The shipper, 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 Federal Security Agency.

## POULTRY

**19390. Adulteration of dressed poultry. U. S. v. Howard M. Rose. Plea of guilty. Fine of \$100 and probation for 1 year. (F. D. C. No. 32759. Sample No. 89876-K.)**

**INFORMATION FILED:** July 8, 1952, District of Minnesota, against Howard M. Rose, manager of Farmers Produce, Inc., Cambridge, Minn.

**ALLEGED SHIPMENT:** Between the dates of September 29 and October 4, 1950, from the State of Minnesota into the State of Nebraska.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (5), the article was in part the product of a diseased animal.

**DISPOSITION:** February 9, 1953. A plea of guilty having been entered, the court imposed a fine of \$100 and placed the defendant on probation for 1 year.