

20227. Adulteration of canned mashed sweetpotatoes. U. S. v. 33 Cases * * *.

(F. D. C. No. 34739. Sample No. 34558-L.)

LIBEL FILED: March 6, 1953, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about September 26, 1950, from St. Francisville, La.

PRODUCT: 33 cases, each containing 48 11-ounce cans, of mashed sweetpotatoes at Danville, Ill.

LABEL, IN PART: (Can) "Marydale Mashed Louisiana Yam Sweet Potatoes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 8, 1953. Default decree of condemnation. The court ordered that the product be sold for use other than for human consumption.

TOMATOES AND TOMATO PRODUCTS**20228. Misbranding of canned tomatoes. U. S. v. 175 Cases, etc. (F. D. C. No. 34562. Sample Nos. 3274-L, 3275-L.)**

LIBEL FILED: January 23, 1953, Southern District of Mississippi.

ALLEGED SHIPMENT: On or about January 7, 1953, by Roberts Bros., Inc., from Baltimore, Md.

PRODUCT: 175 cases, each containing 24 15½-ounce cans, and 850 cases, each containing 48 10-ounce cans, of tomatoes at Hattiesburg, Miss.

LABEL, IN PART: (Can) "Roberts Big R Brand Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes since it contained excessive peel and the label failed to bear a statement that the product fell below the standard.

DISPOSITION: February 11, 1953. The shipper, claimant, having consented to the entry of a decree, the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was relabeled.

20229. Misbranding of canned tomatoes. U. S. v. 535 Cases * * *. (F. D. C. No. 34554. Sample No. 46766-L.)

LIBEL FILED: On or about January 15, 1953, Southern District of Texas.

ALLEGED SHIPMENT: On or about November 6, 1952, from Frankton, Ind., by the Wann Packing Co.

PRODUCT: 535 cases, each containing 24 1-pound cans, of tomatoes at Houston, Tex.

LABEL, IN PART: (Can) "Yacht Club 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 percent of the weight of water required to fill the container and the label failed to bear a statement that the product fell below the standard.

DISPOSITION: February 24, 1953. Default decree of condemnation and destruction. On February 27, 1953, the court amended the decree to provide for the delivery of the product to a charitable institution.