

ALLEGED SHIPMENT: On or about October 13, 1952, by the G. S. Suppiger Co., from Lebanon, Ind.

PRODUCT: 1,235 cases, each containing 24 1-pound cans, of tomatoes at Springfield, Mo.

LABEL, IN PART: (Can) "Yellow Bonnet Brand Tomatoes."

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: April 8, 1953. The shipper, 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 for segregation of the fit from the unfit portion, under the supervision of the Food and Drug Administration. 1,048 cases and 303 cans were salvaged and released to the claimant, and 49 cans were denatured.

20284. Adulteration of canned tomatoes. U. S. v. 8 Cases, etc. (F. D. C. Nos. 34443, 34444. Sample Nos. 66832-L, 66848-L.)

LIBEL FILED: January 6, 1953, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: During September and October 1952, by Peter A. Capizola, from Buena, N. J.

PRODUCT: Canned tomatoes. 7 cases at Easton, Pa., and 813 cases at Bridgeport, Pa., each case containing 24 1-pound, 12-ounce cans.

LABEL, IN PART: (Can) "Norris 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.

DISPOSITION: April 29, 1953. Default decree of condemnation and destruction.

20285. Adulteration and misbranding of canned tomatoes. U. S. v. 934 Cases * * *. (F. D. C. No. 34514. Sample No. 53439-L.)

LIBEL FILED: December 29, 1952, Eastern District of Missouri; amended libel filed January 12, 1953.

ALLEGED SHIPMENT: On or about October 9, 1952, by Searle Food Corp., from Kirklín, Ind.

PRODUCT: 934 cases, each containing 24 cans, of tomatoes at St. Louis, Mo.

LABEL, IN PART: (Can) "Royal Guest Net Contents 1 Lb. 3 Oz. Tomatoes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

Misbranding, Section 403 (g) (2), the article failed to conform to the definition and standard of identity for canned tomatoes. The definition and standard provides that when calcium salts is added to canned tomatoes, the label shall bear a statement that calcium salts had been added. The label of the article failed to bear a statement that calcium salts had been added.

DISPOSITION: June 22, 1953. Default decree of condemnation and destruction.

20286. Adulteration and misbranding of canned tomatoes. U. S. v. 111 Cases, etc. (F. D. C. No. 34383. Sample Nos. 19937-L, 19939-L.)

LIBEL FILED: December 1, 1952, District of South Dakota.

ALLEGED SHIPMENT: On or about September 19, 1952, by the Gwynneville Canning Co., from Gwynneville, Ind.

PRODUCT: 111 cases and 325 cases, each case containing 24 cans, of tomatoes at Aberdeen, S. Dark.

LABEL, IN PART: (Can) "Co-Op Best Quality Tomatoes * * * Contents 1 Lb. Avoir. Grade A" and "Co-Op Tomatoes Contents 1 Lb. 3 Oz. * * * Grade B."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article in the 111-case lot consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

Misbranding, Section 403 (g) (2), the label of the article in the 325-case lot failed to bear, as required by the definition and standard of identity for canned tomatoes, the name of the optional ingredient, calcium, present in the article.

DISPOSITION: January 26, 1953. The Gwynneville Canning Co. having appeared as claimant, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling of the 325-case lot and for segregation of the unfit portion in the 111-case lot, under the supervision of the Food and Drug Administration. Thereafter, the claimant indicated that it did not desire to carry on segregation operations with respect to the 111-case lot, and, accordingly, this lot was destroyed. The 325-case lot was relabeled.

20287. Adulteration of tomato juice. U. S. v. 1,200 Cases * * *. (F. D. C. No. 34544. Sample No. 35876-L.)

LABEL FILED: January 9, 1953, Southern District of Ohio.

ALLEGED SHIPMENT: On or about November 12 and December 10 and 16, 1952, by the Gwynneville Canning Co., from Gwynneville, Ind.

PRODUCT: 1,200 cases, each containing 12 1-quart, 14-fluid-ounce cans, of tomato juice at Cincinnati, Ohio.

LABEL, IN PART: (Can) "Patsy Ann Tomato Juice."

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: May 15, 1953. The shipper, 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 for the segregation of the fit from the unfit portion, under the supervision of the Department of Health, Education, and Welfare. Segregation operations resulted in the rejection and destruction of 569 cases as unfit.

20288. Adulteration of tomato juice. U. S. v. 70 Cases, etc. (F. D. C. No. 34609. Sample Nos. 38908-L, 38909-L.)

LABEL FILED: On or about January 20, 1953, Western District of Virginia.

ALLEGED SHIPMENT: On or about October 31, 1952, by the Winorr Canning Co., from Wauseon, Ohio.

PRODUCT: 70 cases, each containing 24 1-pint, 2-fluid-ounce cans, and 59 cases, each containing 12 1-quart, 14-fluid-ounce cans, of tomato juice at Bedford, Va.

LABEL, IN PART: (Can) "Plee-Zing Tomato Juice."