

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."