

LABEL, IN PART: (Jar) "Red Rose Presents Sweet Peppers Contains: Peppers, Water, Vinegar, and Salt Contents 1 Qt."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Contents 1 Qt." was inaccurate; and, Section 403 (k), the article contained artificial coloring and a chemical preservative and failed to bear labeling stating that fact.

DISPOSITION: February 26, 1954. The Leibowitz Pickle Products, 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 relabeling under the supervision of the Department of Health, Education, and Welfare.

21441. Adulteration of potato chips. U. S. v. Red Dot Foods, Inc. Plea of guilty. Fine, \$1,000. (F. D. C. No. 35771. Sample Nos. 65347-L to 65350-L, incl., 65451-L.)

INFORMATION FILED: January 12, 1954, District of Minnesota, against Red Dot Foods, Inc., Minneapolis, Minn.

ALLEGED SHIPMENT: On or about July 20 and 28, 1953, from the State of Minnesota into the State of Iowa.

LABEL, IN PART: (Package) "Scientifically Prepared Red Dot Potato Chips Red Dot Foods, Inc. General Offices: Madison, Wis. Factories: Madison, Wisconsin Minneapolis, Minn. Indianapolis, Ind."

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

DISPOSITION: May 17, 1954. The defendant having entered a plea of guilty, the court fined it \$1,000.

TOMATOES AND TOMATO PRODUCTS

21442. Adulteration of canned tomatoes. U. S. v. 990 Cases * * *. (F. D. C. No. 36529. Sample No. 79776-L.)

LIBEL FILED: April 29, 1954, Southern District of New York.

ALLEGED SHIPMENT: On or about February 24, 1954, by Flotill Products, Inc., from Stockton, Calif.

PRODUCT: 990 cases, each containing 24 cans, of tomatoes at New York, N. Y.

LABEL, IN PART: (Can) "Gigi Brand Unpeeled Plum Tomatoes and Tomato Puree * * * Net Weight 1 Lb. 12 Ozs."

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

DISPOSITION: July 24, 1954. Default decree of condemnation and destruction.

21443. Adulteration of tomato juice. U. S. v. 217 Cases * * *. (F. D. C. No. 36680. Sample No. 85291-L.)

LIBEL FILED: March 11, 1954, District of Idaho.

ALLEGED SHIPMENT: On or about January 25 and 28, 1954, by the South Ogden Products Corp., from Ogden, Utah.

PRODUCT: 217 cases, each containing 12 cans, of tomato juice at Pocatello, Idaho.

LABEL, IN PART: (Can) "Tastewell Tomato Juice * * * Contents 1 Quart 14 Fl. Oz."

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.

DISPOSITION: April 19, 1954. Default decree of forfeiture and destruction.

MEAT AND POULTRY

21444. Adulteration of hams. U. S. v. 23 Hams * * *. (F. D. C. No. 36561. Sample No. 75370-L.)

LIBEL FILED: On or about May 5, 1954, District of Maryland.

ALLEGED SHIPMENT: On or about April 1, 1952, from Smithfield, Va.

PRODUCT: 23 hams, each weighing approximately 13 pounds, at Baltimore, Md., in possession of the Laurel Distributing Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 26, 1954. Default decree of condemnation and destruction.

21445. Adulteration of dressed poultry. U. S. v. J. E. Parker & Co. Plea of guilty. Fine, \$250. (F. D. C. No. 35571. Sample No. 51924-L.)

INFORMATION FILED: May 12, 1954, Southern District of Ohio, against J. E. Parker & Co., a partnership, Eaton, Ohio.

ALLEGED SHIPMENT: On or about September 20, 1953, from the State of Ohio into the State of New York.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of fecal matter and crop material, and of a decomposed substance by reason of the presence of decomposed poultry; and, Section 402 (a) (5), the article was in part the product of a diseased animal, namely, diseased poultry.

DISPOSITION: July 20, 1954. The defendant having entered a plea of guilty, the court fined it \$250.

21446. Adulteration of poultry parts. U. S. v. 390 Pounds * * *. (F. D. C. No. 36191. Sample No. 51937-L.)

LIBEL FILED: On or about December 22, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about December 8, 1953, by the Producers Cooperative Exchange, from Coatesville, Pa.

PRODUCT: 390 pounds of poultry parts in 6 crates at New York, N. Y.

LABEL, IN PART: (Crate) "B Breast" and "B Legs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of dirty poultry parts; and, Section 402 (a) (5), the article was in part the product of a diseased animal.

DISPOSITION: July 28, 1954. Default decree of condemnation. The court ordered that a portion of the product be delivered to the Food and Drug Administration and that the remainder be destroyed.