CHARGE: 403(h)(1)—when shipped, the article fell below the standard of quality for canned tomatoes since it contained tomato peel per pound of canned tomatoes in the containers which covered an area of more than one square inch, and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 4–29–66. Consent—claimed by Sanford Canning Co. (packer), Tucker Hill, Va., for relabeling.

30664. Canned tomatoes. (F.D.C. No. 51656. S. No. 55–003 B.)

QUANTITY: 32 cases, each containing 6 6-lb. 6-oz. cans, at Cumberland, Md.

SHIPPED: 5–11–65, from Berkeley Springs, W. Va., by C. F. Michael & Sons.

LABEL IN PART: (Can) "Rock Gap Brand * * * Tomatoes Packed by C. F. Michael & Sons R.F.D. No. 1 Berkeley Springs, W. Va."

LIBELED: 9–7–65, Dist. Md.

CHARGE: 402(a)(3)—contained fly eggs and maggots when shipped.

DISPOSITION: 5–11–66. Default—destruction.

30665. Canned tomatoes. (F.D.C. No. 52217. S. No. 94–573 B.)

QUANTITY: 90 cases, of 24 1-lb. cans each, at Fort Wayne, Ind.

SHIPPED: 12–7–65, from Pandora, Ohio, by Pandora Canning Co.

LABEL IN PART: (Can) "Richelieu * * * Peeled Tomatoes * * * Consolidated Foods Corporation Distributors Chicago Ill."

LIBELED: 2–14–66, N. Dist. Ind.

CHARGE: 402(a)(3)—contained decomposed tomato material when shipped.

DISPOSITION: 5–5–66. Default—destruction.

30666. Canned tomatoes. (F.D.C. No. 51889. S. No. 86–617 B.)

QUANTITY: 60 cases, each containing 6 6-lb. 6-oz. cans, at Rusk, Tex.

SHIPPED: 9–3–65, from Siloam Springs, Ark., by Allen Canning Co.

LABEL IN PART: (Can) "Rainbow Brand Tomatoes * * * Distributed by: Nelson Davis and Son Inc. Austin, Texas."

LIBELED: 11–18–65, E. Dist. Tex.

CHARGE: 402(a)(3)—contained decomposed tomato material when shipped.

DISPOSITION: 1–3–66. Default—destruction.

30667. Canned tomatoes. (F.D.C. No. 52143. S. Nos. 140–182/3 B.)

QUANTITY: 150 cases, each containing 24 1-lb. cans, and 8 cases, each containing 48 10-oz. cans, at Sayre, Okla.

SHIPPED: 10–16–65, from Plainview, Tex., by Plainview Canning Co.

LABEL IN PART: (Can) "High Plains Tomatoes * * * Packed by Plainview Canning Co. Plainview, Texas," and "Adair Brand Hand Packed Tomatoes * * * Packed by Wauhillau Canning Co., Adair County, Stilwell, Okla."

LIBELED: 1–19–66, W. Dist. Okla.

CHARGE: 402(a)(3)—when shipped, the High Plains tomatoes contained decomposed tomato material; and 403(h)(1)—the quality of the Adair Brand tomatoes fell below the standard of quality for canned tomatoes due to excessive peel.