619. Adulteration of tomato catsup. U. S. v. 75 Cases and 24 Cases of Tomato Catsup. Default decrees of condemnation and destruction. (F. D. C. Nos. 1627, 1659. Sample Nos. 56494–D, 56495–D.)

One lot of this product contained excessive mold, indicating the presence of decomposed material. The remaining lot contained fragments of larvae and other filth resulting from worm infestation.

On or about March 12 and 19, 1940, the United States attorneys for the Eastern District of Texas and the Western District of Texas filed libels against 75 cases of tomato catsup at Denton, Tex., and 24 cases of tomato catsup at Mexia, Tex., alleging that the article had been shipped in interstate commerce on or about January 27, 1940, by the Howard Terminal from Oakland, Calif.; and charging that it was adulterated. It was labeled in part: "Real-Red Brand Tomato Catsup * * * Stockton Food Products Inc., Stockton, Calif."

Adulteration was alleged with respect to one lot in that it consisted in whole or in part of a filthy, putrid, or decomposed substance; and with respect to the other lot in that it consisted in whole or in part of a filthy substance.

On April 2 and June 13, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

620. Adulteration of tomato catsup. U. S. v. 98 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 1732. Sample No. 12404–E.)

On April 1, 1940, the United States attorney for the Southern District of Florida filed a libel against 98 cases, each containing 6 cans, of tomato catsup at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about March 5, 1940, by Harcourt, Greene Co. from San Francisco, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Racquet Brand Tomato Catsup * * * Harcourt, Greene Co., Distributors."

On April 29, 1940, no claimant having appeared, a decree of condemnation and forfeiture was entered and the product was ordered destroyed.

621. Adulteration of tomato catsup. U. S. v. 85 Cases of Tomato Catsup (and 3 other seizure actions against catsup). Default decrees of condemnation and destruction. (F. D. C. Nos. 1467, 1560, 1713, 2160. Sample Nos. 66747–D, 90821–D, 18365–E, 16604–E.)

All lots of this product contained excessive mold, indicating the presence of decomposed material. One lot also contained fragments of insect larvae and other filth resulting from insect infestation.

On or about February 15, March 2, March 27, and June 15, 1940, the United States attorneys for the District of Kansas and the District of Idaho, filed libels against 85 cases of tomato catsup at Hillsboro, Kans.; 168 cases at Hutchinson, Kans.; and 182 cases at Boise, Idaho, alleging that the article had been shipped in interstate commerce within the period from on or about November 5, 1939, to on or about February 19, 1940. The libels alleged that the shipments, with one exception, had been made by the Smith Canning Co. from Brigham and Clearfield, Utah; that one lot had been shipped by the Box Elder Packing Corporation from Brigham, Utah; and that the article was adulterated. It was labeled in part: "La Vora Brand [or "Dinnerette Brand"] * * * Distributed By Smith Canning Co., Clearfield, Utah."

The article was alleged to be adulterated in that portions consisted in whole or in part of a decomposed substance, and that one portion consisted in whole or in part of a filthy and decomposed substance.

On March 29, April 3, June 27, and June 29, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

622. Adulteration of tomato catsup. U. S. v. 27 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. D. C. No. 1597. Sample Nos. 97367–D, 97369–D, 97370–D.)

On March 9, 1940, the United States attorney for the District of Idaho filed a libel against 27 cases of tomato catsup at Twin Falls, Idaho, alleging that the article had been shipped in interstate commerce within the period from on or about November 13, 1939, to on or about February 16, 1940, by the Pacific Fruit Produce Co. from Salt Lake City, Utah; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance.

The product was labeled in part: "Nation's Garden Brand Tomato Catsup * * * Packed for Fine Foods, Inc., Seattle Minneapolis"; or "Gateway Brand Tomato Catsup * * * Perry Canning Co., Perry, Utah."