1478. Adulteration of tomato puree. U. S. v. 900 Cases and 1,500 Cases of Tomato Puree. Default decree of condemnation. Product ordered released under bond to be denatured. (F. D. C. No. 1701. Sample Nos. 6427–E, 6428–E.)

On March 23, 1940, the United States attorney for the District of Colorado filed a libel against 2,400 cases of tomato puree at Pueblo, Colo. (consigned by H. D. Olson), alleging that the article had been shipped in interstate commerce on or about September 27 and December 29, 1939, from Ogden, Utah; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On January 14, 1941, Meyer Levy, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be denatured with charcoal and disposed of for animal feeding purposes only.

1479. Adulteration of tomato puree. U. S. v. 10 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 3900. Sample No. 29170–E.)

On February 28, 1941, the United States attorney for the Western District of Kentucky filed a libel against 10 cases of tomato puree at Louisville, Ky., alleging that the article had been shipped in interstate commerce on or about January 20, 1941, by the Preston-Rider Packing Co. from Campbellsburg, Ind.; 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: (Cans) "Rider Best Tomato Puree."

On April 2, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1480. Misbranding of tomato puree. U. S. v. 98 Cases of Tomato Puree. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 3997. Sample No. 21652–E.)

This product was short of the declared weight.

On March 17, 1941, the United States attorney for the Southern District of Texas filed a libel against 98 cases of tomato puree at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about February 8, 1941, by the Independent Grocers Alliance from San Francisco, Calif.; and charging that it was misbranded. It was labeled in part: (Cans) "Fargo Brand Fancy Tomato Puree The net contents of this can is 7 Lbs."

The article was alleged to be misbranded in that examination showed it to be short weight, the average net weight found being 106.79 ounces, a shortage of 4.65 percent.

On April 23, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

1481. Adulteration of tomato paste. U. S. v. 126 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. D. C. No. 3991. Sample No. 56222–E.)

On March 17, 1941, the United States attorney for the Eastern District of New York filed a libel against 126 cases of tomato paste at Brooklyn, N. Y., alleging that the article had been shipped from Naples, Italy, on or about October 12, 1939, by Paolo Baratta & Figli; 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: (Cans) "Choice Quality Cyrilla Brand Italian Tomato Paste with Basil."

On May 16, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1482. Adulteration of tomato paste. U. S. v. 149 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. D. C. No. 3700. Sample No. 22065–E.)

On January 23, 1941, the United States attorney for the Eastern District of Louisiana filed a libel against 149 cases of tomato paste at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about December 31, 1940, by the United States Products Corporation for the account of the Hershel California Fruit Products Co., of San Jose, Calif., from Oakland, Calif.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: (Cans) "Contadina Pure Tomato Paste."

On March 10, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.