

Norfolk, Va.; and charging that it was adulterated and misbranded. The article was labeled in part: (Cans) "Lynnhaven Brand Early June Peas."

One of the lots located at Washington, N. C., was alleged to be adulterated in that canned peas substandard in quality had been substituted for canned peas of standard quality, which the article purported to be. The article in all lots was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law but its quality fell below such standard and its labels did not bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On October 29 and November 7, 1940, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed after 30 days unless taken down under bond by the owner. On November 23 and 25, 1940, amended decrees were entered authorizing the marshal to deliver the product to public welfare officers, after the expiration of the said 30 days, to be used for charitable purposes. The product was distributed as provided in the amended decrees.

FROZEN STRAWBERRIES

1621. Adulteration of frozen strawberries. U. S. v. 52 Barrels of Frozen Strawberries. Decree of forfeiture and destruction. (F. D. C. No. 3485. Sample Nos. 39603-E, 39615-E.)

This product consisted in whole or in part of moldy berries.

On December 7, 1940, the United States attorney for the Eastern District of Illinois filed a libel against 52 barrels of frozen strawberries at East St. Louis, Ill., alleging that the article had been shipped in interstate commerce on or about July 4, 1940, by the Kelley Farquhar Co. from Portland, Oreg.; 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: "Sparklets 3+1 Marshall Strawberries Field Run."

On January 9, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1622. Adulteration of frozen strawberries. U. S. v. 125 Barrels of Strawberries. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. (F. D. C. No. 2770. Sample No. 44433-E.)

Examination showed the presence of moldy strawberries.

On September 9, 1940, the United States attorney for the District of Colorado filed a libel against 125 barrels of strawberries at Denver, Colo., which had been shipped by the Pure Food Manufacturing Co., alleging that the article had been shipped in interstate commerce on or about August 5, 1940, from Seattle, Wash.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: "Rock-Garden Brand * * * Strawberries * * * Packed by Mukai and Son, Vashon, Washington."

On October 30, 1940, Mukai & Son, of Vashon, Wash., claimants, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that the unfit portion be segregated and destroyed.

TOMATO PRODUCTS

1623. Adulteration of tomato catsup and tomato puree. U. S. v. The Delta County Canning Co., a corporation. Plea of guilty. Fine, \$20. (F. D. C. No. 2842. Sample Nos. 6312-E, 6616-E, 97239-E, 97240-E.)

One of these lots contained excessive mold indicating the presence of decomposed material; one lot contained insect fragments, and in two lots both conditions were found.

On April 3, 1941, the United States attorney for the District of Colorado filed an information against the Delta County Canning Co., a corporation, Delta, Colo., alleging introduction and delivery for introduction in interstate commerce within the period from on or about October 7, 1939, to on or about March 27, 1940, from the State of Colorado into the States of New Mexico and Nebraska of quantities of tomato catsup and tomato puree that were adulterated. The articles were labeled in part: "Bel-Dine Tomato Catsup * * * Packed for Recorg Supply Corporation, Chicago, Illinois,"; "Town-Talk No. 10 Special Hotel Pack Tomato Catsup [or "Tomato Puree"] * * * Packed for the Stone-Hall Co., Denver, Colo.,"; or "Town-Talk Tomato Catsup * * * the Delta County Canning Company, Delta, Colo."

Adulteration was alleged with respect to two of the lots of catsup in that it consisted in whole or in part of a filthy and decomposed substance; with respect to the lot of puree in that it consisted in whole or in part of a decomposed substance and with respect to the remaining lot of catsup in that it consisted in whole or in part of a filthy substance.

On April 24, 1941, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$20.

1624. Adulteration of tomato puree. U. S. v. Luther S. Sloat and Will P. Reed (White Pine Canning Co.). Plea of guilty. Fine, \$100. (F. D. C. No. 2927. Sample No. 20954-E.)

This product contained excessive mold, indicating the presence of decomposed material.

On February 19, 1941, the United States attorney for the Eastern District of Tennessee filed an information against Luther S. Sloat and Will P. Reed, co-partners, trading as White Pine Canning Co. at White Pine, Tenn., alleging shipment by said defendants on or about August 21, 1940, from the State of Tennessee into the State of Georgia, of a quantity of tomato puree that was adulterated in that it consisted in whole or in part of a filthy and decomposed substance. The article was labeled in part: (Cans) "Jefferson Brand Tomato Puree."

On May 26, 1941, the defendants entered pleas of guilty and the court imposed a join fine of \$100 in lieu of fine and costs.

1625. Adulteration of tomato paste. U. S. v. Turlock Cooperative Growers. Plea of guilty. Fine, \$500. (F. D. C. No. 2888. Sample Nos. 10814-E, 12464-E, 12597-E, 12953-E, 56488-D, 72956-D.)

One of these shipments contained mold, indicating the presence of decomposed material; three contained worm and insect fragments, and in one shipment both conditions were found.

On January 7, 1941, the United States attorney for the Northern District of California filed an information against the Turlock Cooperative Growers, a corporation, Modesto, Calif., alleging delivery for introduction in interstate commerce within the period from on or about January 19 to on or about April 2, 1940, from the State of California into the States of Texas, New York, Virginia, and Massachusetts of quantities of tomato paste that was adulterated. The article was labeled in part: "Firenze Brand Tomato Paste."

Adulteration was alleged with respect to one of the shipments in that it consisted in whole and in part of a decomposed substance, with respect to three of the shipments in that they consisted in whole and in part of a filthy substance, and with respect to the remaining shipment in that it consisted in whole and in part of a filthy and decomposed substance.

On February 21, 1941, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$500.

1626. Adulteration of catsup. U. S. v. 26 Cases of Catsup. Default decree of condemnation and destruction. (F. D. C. No. 3115. Sample No. 38034-E.)

This product contained excessive mold, indicating the presence of decomposed material.

On October 2, 1940, the United States attorney for the Western District of Wisconsin filed a libel against 26 cases of tomato catsup at Menomonie, Wis., alleging that the article had been shipped in interstate commerce on or about August 30, 1939, by the Frazier Packing Corporation from Elwood, 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: (Bottles) "Frazier's Tomato Catsup."

On November 9, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1627. Adulteration of tomato catsup. U. S. v. 28 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. D. C. No. 3515. Sample No. 44176-E.)

This product contained excessive mold, indicating the presence of decomposed material.

On December 17, 1940, the United States attorney for the District of Montana filed a libel against 28 cases of tomato catsup at Billings, Mont., alleging that the article had been shipped in interstate commerce on or about November 2 and 18, 1940, by Keller & Chandler from St. Anthony, Idaho; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.