

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.

The article was labeled in part: (Cans) "Utah Lyon Brand Catsup" or "Catsup * * * Accepted Brand."

On February 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1628. Adulteration of tomato puree. U. S. v. 158 Cases of Tomato Puree. Consent decree of condemnation and destruction. (F. D. C. No. 3719. Sample No. 44636-E.)

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

On February 1, 1941, the United States attorney for the District of Colorado filed a libel against 158 cases of tomato puree at Denver, Colo., consigned by the Perry Canning Co., alleging that the article had been shipped in interstate commerce on or about October 9, 1940, from Ogden, Utah; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: "Gateway Brand Tomato Puree."

On March 3, 1941, the Perry Canning Co. having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

1629. Adulteration of tomato sauce and hot sauce. U. S. v. 341 Cases of Tomato Sauce (and Hot Sauce). Consent decree of condemnation and destruction. (F. D. C. No. 1939. Sample Nos. 9184-E, 9185-E.)

These products contained mold, indicating the presence of decomposed material.

On May 9, 1940, the United States attorney for the Eastern District of Louisiana filed a libel against 341 cases of tomato sauce and 491 cases of hot sauce at Baton Rouge, La., alleging that the articles had been shipped in interstate commerce on or about October 25, 1939, from Stockton, Calif., by B. H. Body, Inc. This firm acted as agent for the packer, the Stockton Food Products Co. of Stockton, Calif. The articles were labeled in part: "Red and White Concentrated Tomato Sauce Red and White Corp'n. Distributor Chicago, Illinois"; or "Brimfull Brand Hot Sauce Distributed by Kitchen Products Inc. Chicago."

They were alleged to be adulterated in that they consisted wholly or in part of decomposed substances.

On April 14, 1941, Stockton Food Products, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered destroyed.

OTHER FRUIT PRODUCTS

1630. Adulteration of apple butter. U. S. v. 93 Cases of Apple Butter. Default decree entered. Product ordered destroyed. (F. D. C. No. 3410. Sample No. 55546-E.)

Examination of this product showed that it contained insect fragments.

On November 19, 1940, the United States attorney for the Western District of Washington filed a libel against 93 cases, each containing 6 No. 10 cans, of apple butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about October 8, 1940, by Pacific Food Products Co. from Boise, Idaho; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: "Sunny Jim Pure Apple Butter."

On January 28, 1941, no claimant having appeared, judgment was entered ordering destruction of the product.

1631. Adulteration and misbranding of Spreidon. U. S. v. 11 Cases of Spreidon. Default decree of condemnation and destruction. (F. D. C. No. 2995. Sample No. 6587-E.)

This product was a dark gelatinous mass, highly acidulated, with no characteristic odor or flavor other than acidity and sweetness, consisting of dried fruit (excepting that labeled "Grape," which contained fruit pulp), dextrose, pectin, acid, and artificial color. The product, which was wrapped in wax paper, occupied only about 58 percent of the volume of the package.

On September 16, 1940, the United States attorney for the Northern District of Texas filed a libel against 11 cases of Spreidon at Amarillo, Tex., alleging that the article had been shipped in interstate commerce on or about July 22,