It was alleged to be misbranded in that the statement "All products bearing this label are guaranteed to comply with the pure food laws," appearing on the neck label of the bottles, was false and misleading.

On September 30, 1941, the claimant having signed an acceptance of service and authorization for taking of final decree, judgment of condemnation was entered and the product was ordered destroyed.

2466. Adulteration of tomato catsup. U. S. v. 505 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. D. C. No. 4929. Sample No. 47446–E.)

On June 17, 1941, the United States attorney for the Northern District of Illinois filed a libel against 505 cases, each containing 24 bottles, of tomato catsup at Chicago, Ill., alleging that the article had been shipped on or about May 22, 1941, by Fettig Canning Co., from Elwood, Ind.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: (Bottles) "Tolman's Tomato Catsup Net Wt. 14 Oz."

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

2467. Adulteration of tomato catsup. U. S. v. 151 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. D. C. No. 5975. Sample No. 67852–E.)

On October 4, 1941, the United States attorney for the Eastern District of Missouri filed a libel against 151 cases, each containing 24 bottles of tomato catsup at St. Louis, Mo., alleging that the article had been shipped on or about September 4, 1941, by Stokely Bros. & Co., Inc., from Indianapolis, Ind.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: (Bottles) "Stokely's Finest Tomato Catsup Net Weight 14 Oz."

On October 31, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2468. Adulteration of tomato paste. U. S. v. 40 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. D. C. No. 4720–B. Sample No. 22535–E.)

Examination of this product showed that it contained worm and insect fragments.

On May 17, 1941, the United States attorney for the District of Connecticut filed a libel against 40 cases, each containing 100 6-ounce cans, of tomato paste at New Haven, Conn., alleging that the article had been shipped in interstate commerce on or about March 28, 1941, by the Hollister Canning Co. from Oakland, Calif.; and charging that it was adulterated. The article was labeled in part: "San Benito Brand Naples Style Tomato Paste."

On September 23, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2469. Adulteration of tomato paste. U. S. v. 25 Cartons and 9 Cases of Tomato Paste. Default decrees of condemnation. Portion of product ordered destroyed; remainder ordered delivered to a public institution. (F. D. C. Nos. 5428, 5857. Sample Nos. 59389–E, 59638–E.)

On August 25 and September 26, 1941, the United States attorney for the Southern District of West Virginia filed libels against 25 cartons each containing 100 cans of tomato paste at Huntington, and 9 cases each containing 100 cans of the same product at Bluefield, W. Va., alleging that the article had been shipped on or about May 10 and 13, 1941, by the H. J. McGrath Co. from Baltimore, Md.; 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) "Champion Brand Tomato Paste Net Weight 6 Ounces Avd."

On October 2 and 22, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed. On November 1, 1941, the decree of October 22, 1941, was amended to permit delivery of the lot seized at Bluefield to a public institution for use as stock feed.

2470. Adulteration of tomato paste. U. S. v. 7 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. D. C. No. 5427. Sample No. 59388–E.)

On August 25, 1941, the United States attorney for the Southern District of West Virginia filed a libel against 7 cases, each containing 100 cans, of tomato paste at Huntington, W. Va., alleging that the article had been shipped on or about