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

February 11, 1941, by Sandy Valley Grocery 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. * * * Packed By The H. J. McGrath Co. Baltimore, Md."

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

2471. Adulteration of tomato puree. U. S. v. 50 Cases and 44 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 5232. Sample Nos. 47482-E, 47483-E.)

On July 31, 1941, the United States attorney for the Northern District of Illinois filed a libel against 94 cases, each containing 24 cans, of tomato puree at Chicago, Ill., alleging that the article had been shipped on or about May 10 and 20, 1941, by Crampton Canneries, Inc., from Celina, Ohio; 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) "Ferndell [or "Richelieu Brand"] Puree of Tomatoes Net Weight 10½ Oz."

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

2472. Adulteration of tomato puree. U. S. v. 15 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 5163. Sample No. 5373-E.)

On July 16, 1941, the United States attorney for the Eastern District of Kentucky filed a libel against 15 cases, each containing 72 cans, of tomato puree at Harlan, Ky., alleging that the article had been shipped in interstate commerce on or about August 6, 1940, and June 5, 1941, by the Morgan Packing Co. from Austin, 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: "Columbus Tomato Puree * * * Net Weight 6 Oz."

On August 12, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2473. Adulteration of tomato sauce. U. S. v. 48 Cases of Tomato Sauce. Default decree of condemnation and destruction. (F. D. C. No. 3909. Sample No. 83019-E.)

On March 3, 1941, the United States attorney for the District of New Jersey filed a libel against 48 cases of tomato sauce at Hoboken, N. J., alleging that the article had been shipped on or about May 5, 1940, by Soc. Au. Rinaldi from Naples, Italy; 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: "Bridge Brand Italian Tomato Sauce With Basil Leaf Packed in Italy."

On November 19, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2474. Adulteration and misbranding of chili sauce. U. S. v. 50 Cartons, 22 Cases, and 46 Cases of Chili Sauce. Default decrees of condemnation and destruction. (F. D. C. Nos. 4478, 4864, 5141. Sample Nos. 55497-E, 60743-E, 69534-E.)

One shipment of this product contained mold and the others contained worm and insect fragments. The labels of one shipment also failed to bear a statement of the ingredients.

On April 24, June 3, and July 15, 1941, the United States attorneys for the Western District of Washington and the Southern District of New York filed libels against 50 cartons each containing 24 bottles, and 22 cases each containing 24 bottles of chili sauce at Tacoma, Wash., and 46 cases each containing 6 cans of the same product at New York, N. Y., alleging that the article had been shipped in interstate commerce within the period from on or about February 5 to on or about March 31, 1941, by Kern Food Products, Inc., from Los Angeles, Calif.; and charging that it was adulterated and that a portion was also misbranded. It was labeled in part: (Bottles) "Kern's Pure Chili Sauce, Net Weight 12 Oz."; or (cans) "Kern's Fancy Chili Sauce * * * Net Weight 7 Lbs."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy or decomposed substance. A portion was alleged to be misbranded in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient.

On June 30, August 19, and September 12, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.