

merce on or about March 13, 1942, by the Harcourt Greene Co. from Oakland, Calif.; 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: "Contadina Tomato Paste * * * Packed By Hershel Cal. Fruit Prod. Co. San Jose, Calif."

On June 4, 1943, the Hershel California Fruit Products Co. of San Jose, Calif., claimant, having admitted the allegations of the libel and having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

5054. Adulteration of tomato paste. U. S. v. 80 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. D. C. No. 9552. Sample No. 19195-F.)

On March 17, 1943, the United States attorney for the District of New Jersey filed a libel against 80 cases, each containing 100 cans, of tomato paste at West New York, N. J., alleging that the article had been shipped in interstate commerce on or about November 2, 1942, by the Flotill Products, Inc., from Stockton, Calif.; and charging that it was adulterated in that it consisted in whole or in part of decomposed tomato material, as evidenced by mold. The article was labeled in part: (Cans) "Flotta Brand * * * Extra Fancy Concentrated Tomato Paste."

On July 10, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

Nos. 5054 to 5059 report actions involving tomato puree, samples of which were found to contain mold, indicating the presence of decomposed material.

5055. Adulteration of tomato puree. U. S. v. William Laning & Son Co. Plea of guilty. Fine, \$400. (F. D. C. No. 8803. Sample Nos. 17993-F, 19530-F, 24126-F, 28134-F.)

On May 11, 1943, the United States attorney for the District of New Jersey filed an information against the William Laning & Son Co., a corporation, at Bridgeton, N. J., alleging shipment within the period from on or about September 2 to October 19, 1942, of a quantity of tomato puree from the State of New Jersey into the States of Florida, Massachusetts, and New York, and the District of Columbia; 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: "Premier * * * Tomato Puree Francis H. Leggett & Co., Distributors, New York," "Silver Lake Brand Whole Tomato Puree," or "Good Year GY M-L Co Inc Tomato Puree * * * Mazo-Lerch Co., Incorporated Distributors Washington, D. C."

On June 11, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$400.

5056. Adulteration of tomato puree. U. S. v. 498 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 9332. Sample No. 6589-F.)

On February 8, 1943, the United States attorney for the Eastern District of Missouri filed a libel against 498 cases, each containing 6 No. 10 cans, of tomato puree at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about September 28, 1942, by the Swayzee Canning Co. from Swayzee, Ind.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On June 15, 1943, the shipper having entered an appearance but subsequently having abandoned its claim, judgment of condemnation was entered and the product was ordered destroyed.

5057. Adulteration of tomato puree. U. S. v. 38 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 9436. Sample No. 9592-F.)

On February 25, 1943, the United States attorney for the Western District of Louisiana filed a libel against 38 cases of tomato puree at Lafayette, La., alleging that the article had been shipped in interstate commerce on or about November 13, 1942, by the Butterfield Canning Co. from Muncie, 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) "Realm * * * Puree of Tomatoes * * * Packed For Household Products Co., Chicago, Ill. By Butterfield Canning Co., Muncie, Ind."

On June 7, 1943, no claimant having appeared; judgment of condemnation was entered and the product was ordered destroyed.

5058. Adulteration of tomato puree. U. S. v. 50 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 9433. Sample No. 38233-F.)

On or about March 5, 1943, the United States attorney for the Northern District of Illinois filed a libel against 50 cases of tomato puree at Chicago, Ill., alleging

that the article had been shipped in interstate commerce on or about December 1, 1942, by the Fort Atkinson Canning Corporation from Fort Atkinson, Wis.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On April 6, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. By amended decree of June 30, 1943, the marshal was ordered to deliver a portion of the product to the Food and Drug Administration.

5059. Adulteration of tomato puree. U. S. v. 298 Cases of Tomato Puree. Default decree of condemnation. Product ordered delivered to a public or private charitable institution. (F. D. C. No. 9455. Sample No. 11241-F.)

On March 1, 1943, the United States attorney for the Northern District of New York filed a libel against 298 cases, each case containing 6 No. 10 cans, of tomato puree at Utica, N. Y., alleging that the article had been shipped in interstate commerce on or about February 16, 1943, by the Independent Grocers Alliance from Oakland, Calif.; and charging that it was adulterated in that it contained decomposed tomato material. The article was labeled in part: (Cans) "H M Hi Man Fancy Tomato Puree * * * Louis T. Snow & Co. Distributors San Francisco, Calif."

On June 4, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public or private charitable institution.

5060. Adulteration of tomato puree. U. S. v. 48 Cases of Tomato Puree (and 2 additional seizure actions against tomato puree). Default decree of condemnation. Two of the lots ordered destroyed. Good portion of remaining lot ordered delivered to a welfare organization. (F. D. C. Nos. 9453, 9454, 9961. Sample Nos. 8964-F, 8969-F, 10457-F, 10458-F.)

On or about March 2 and 16, and May 21, 1943, the United States attorneys for the District of Oregon, the Western District of Washington, and the Southern District of Texas filed libels against 48 cases of tomato puree at Portland, Oreg., 147 cases of tomato puree at Seattle, Wash., and 249 cases of tomato puree at Houston, Tex., alleging that the article had been shipped in interstate commerce within the period from on or about January 22 to February 19, 1943, by the Frank Raiter Canning Co. from Salinas, Calif.; 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: "Red Sail Product of U.S.A. Tomato Puree."

Between April 6 and June 29, 1943, no claimant having appeared, judgments of condemnation were entered. The lot located at Portland, Oreg., was ordered sorted, the good portion to be delivered to a welfare organization and the remainder to be destroyed. The lots located at Seattle, Wash., and Houston, Tex., were ordered destroyed.

5061. Adulteration of hot sauce. U. S. v. 24 Cases, 20 Cases, and 54 Cases of Louisiana Hot Sauce. Default decrees of condemnation and destruction. (F. D. C. Nos. 9105, 9195, 9366. Sample Nos. 9839-F, 19107-F, 24965-F.)

On January 4 and 15, and February 12, 1943, the United States attorneys for the Eastern District of New York, the Eastern District of Virginia, and the Southern District of Mississippi filed libels against 24 cases of hot sauce at Brooklyn, N. Y., 20 cases of hot sauce at Norfolk, Va., and 54 cases of hot sauce at Jackson, Miss., alleging that the article had been shipped in interstate commerce on or about October 16 and 20, and November 28, 1942, by the J. J. Garvey Co. from New Orleans, La.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, insect fragments, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Garvey's Louisiana 'Hot Stuff' Red Pepper Sauce." or "Garvey's Oyster and Fish Louisiana Hot Sauce."

On March 16 and 24 and May 7, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

5062. Adulteration of hot sauce. U. S. v. 271 Cases of Hot Sauce (and 2 additional seizure actions against hot sauce). Default decrees of condemnation and destruction. (F. D. C. Nos. 9078, 9226, 9368. Sample Nos. 2782-F, 8942-F, 9039-F.)

From on or about December 31, 1942, to February 15, 1943, the United States attorneys for the Western District of Missouri and the Northern and Southern Districts of Texas filed libels against 271 cases, each containing 36 bottles, of hot sauce at Kansas City, Mo., 23 barrels, containing 40 to 50 gallons, of hot sauce at Dallas, Tex., and 68 cases, each containing 36 bottles, of hot sauce at Houston, Tex., allea-