18832. Adulteration of dried whole green peas, dried split green peas, and rice. U. S. v. 90 Bags, etc. (F. D. C. No. 33140. Sample Nos. 16807–L to 16809–L, incl.)

LIBEL FILED: May 21, 1952, Southern District of California.

ALLEGED SHIPMENT: On or about January 15 and March 12, 1952, from Spokane, Wash., and Mermentau, La.

PRODUCT: 90 100-pound bags of dried whole green peas, 105 100-pound bags of dried split green peas, and 150 100-pound bags of rice, at Los Angeles, Calif., in possession of Casaus Bros.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of rodent urine; and, Section 402 (a) (4), the articles had been held under insanitary conditions whereby they may have become contaminated with filth. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: June 9, 1952. Casaus Bros., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for cleaning and reconditioning, under the supervision of the Federal Security Agency. The reconditioning operations resulted in the release of 4,586 pounds of dried whole green peas, 8,232 pounds of dried split green peas, and 14,889 pounds of rice as fit for human consumption.

TOMATOES AND TOMATO PRODUCTS

18833. Misbranding of canned tomatoes. U. S. v. 124 Cases * * *. (F. D. C. No. 31745. Sample No. 23752–L.)

LIBEL FILED: October 1, 1951, District of Connecticut.

ALLEGED SHIPMENT: On or about August 15, 1951, by the Woodside Canning Co., from Woodside, Del.

PRODUCT: 124 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Waterbury, Conn.

LABEL, IN PART: "Zakly-Rite Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes since it contained excessive peel, and the label failed to bear a statement that the product fell below the standard.

DISPOSITION: June 27, 1952. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

18834. Misbranding of canned tomatoes. U. S. v. 199 Cases * * *. (F. D. C. No. 31940. Sample No. 37457–L.)

LIBEL FILED: October 30, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about September 18, 1951, by the Albertson Packing Co., from Hope, N. J.

PRODUCT: 199 cases, each containing 6 cans, of tomatoes at New York, N. Y.

LABEL, IN PART: "Clarkdale Brand Solid Packed Whole Tomatoes Drained Weight 78 Oz."