CHARGE: 402(a)(3)—contained *Drosophila* fly eggs and maggots when shipped.

DISPOSITION: 1-10-63. Default—destruction.

**28770. Canned tomatoes.** (F.D.C. No. 48368. S. No. 6-705 V.)

QUANTITY: 79 cases, each containing 24 1-lb. 12-oz. cans, at Haverhill, Mass.

SHIPPED: 9-18-62, from Trappe, Md., by Harrison & Associates.

LABEL IN PART: (Can) "JD Garden Gem Tomatoes * * * Distributed By J. T. Harrison & Associates Easton, Maryland."

LIBELED: 11-16-62, Dist. Mass.

CHARGE: 402(a)(3)—contained fly eggs and maggots when shipped.

DISPOSITION: 1-14-63. Default—destruction.

**28771. Canned tomatoes.** (F.D.C. No. 48459. S. No. 47-142 V.)

QUANTITY: 151 cases, 24 1-lb. cans each, at Cape Girardeau, Mo.

SHIPPED: 9-3-62, from Campbellsburg, Ind., by Preston Rider Packing Co.

LABEL IN PART: (Can) "Riders Best * * * Tomatoes Preston Rider Packing Co."

LIBELED: 11-26-62, E. Dist. Mo.

CHARGE: 402(a)(3)—contained decomposed tomato material when shipped.

DISPOSITION: 1-23-63. Default—destruction.

**28772. Canned tomatoes.** (F.D.C. No. 48408. S. Nos. 29-940 V, 55-902 V.)

QUANTITY: 1,650 cases, 24 1-lb. cans each, at Kansas City, Kans.

SHIPPED: Between 8-21-62 and 10-11-62, from Point Lookout, Mo., by School of the Ozarks.

LABEL IN PART: (Can) "The School of the Ozarks Tomatoes Packed by The School of the Ozarks Point Lookout Missouri."

LIBELED: 12-17-62, Dist. Kans.

CHARGE: 402(a)(3)—while held for sale, contained a decomposed substance; and 403(h)(1)—when shipped, the quality of the article fell below the standard of quality for canned tomatoes, since the strength and redness of color of the tomatoes in the container was less than that prescribed for standard quality tomatoes, and the label failed to bear a statement that the article fell below such standard.

DISPOSITION: 3-21-63. Default—destruction.

**28773. Tomato catsup.** (F.D.C. No. 48496. S. No. 17-527 V.)

QUANTITY: 119 cases, each containing 24 14-oz. btls., at Woodlawn, Ohio.

SHIPPED: 10-24-62 and 10-30-62, from Sunman, Ind., by Naas Foods, Inc.

LABEL IN PART: (Btl.) "Kroger Tomato Catsup * * * Distributed by The Kroger Co. Cincinnati 1, O."

LIBELED: 1-7-63, S. Dist. Ohio.

CHARGE: 402(a)(3)—contained decomposed tomato material when shipped.

DISPOSITION: 2-25-63. Default—one case released to the Food and Drug Administration, the remainder destroyed.