7323. Adulteration and misbranding of tomato catsup. U. S. v. Frazier Packing Corporation. Plea of guilty. Fine, $250. (F. D. C. No. 11400. Sample Nos. 8339–F, 40972–F, 41117–F, 43825–F, 62471–F.)

INFORMATION FILED: August 17, 1944, Southern District of Indiana, against the Frazier Packing Corporation, Elwood, Ind.

ALLEGED SHIPMENT: From on or about September 18 to October 21, 1943, from the State of Indiana into the States of Minnesota, Texas, Louisiana, Missouri, and Arkansas.

LABEL, IN PART: "Frazier's * * * Tomato Catsup," or "Frazier's * * * Superfine * * * Tomato Catsup"; (portion of "Superfine" brand) "All Products Bearing This Label Are Guaranteed To Comply With The Pure Food Laws."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

Misbranding, Section 403 (a), the name "Superfine Tomato Catsup," and the statement, "All Products Bearing This Label are Guaranteed to Comply with the Pure Food Laws," on the labels of portions of the product, were false and misleading as applied to the article, which contained decomposed material and which did not comply with the Federal Food, Drug, and Cosmetic Act.

DISPOSITION: October 28, 1944. A plea of guilty having been entered on behalf of the corporation, a fine of $250 was imposed.

7324. Adulteration of tomato catsup. U. S. v. Vincennes Packing Corporation. Plea of guilty. Fine, $150 and costs. (F. D. C. No. 12516. Sample No. 4151–F.)

INFORMATION FILED: September 29, 1944, Southern District of Indiana, against the Vincennes Packing Corporation, Vincennes, Ind.

ALLEGED SHIPMENT: On or about October 23, 1943, from the State of Indiana into the State of Ohio.

LABEL, IN PART: "Alice of Old Vincennes * * * Tomato Catsup."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: October 21, 1944. A plea of guilty having been entered, the defendant was fined $150 and costs.

7325. Adulteration of tomato catsup. U. S. v. 23 Cases of Tomato Catsup (and 3 other seizure actions against tomato catsup). Default decrees of condemnation and destruction. (F. D. C. Nos. 14517, 14601, 14641, 14705. Sample Nos. 68783–F, 68798–F, 68799–F, 90540–F, 90561–F.)

LIBELS FILED: Between November 27 and December 11, 1944, Southern District of Ohio, Eastern District of Kentucky, and Northern District of Ohio.

ALLEGED SHIPMENT: Between on or about September 14 and November 13, 1944, by the Morgan Packing Co., Austin, Ind.

PRODUCT: Tomato catsup: 23 cases, each containing 6 cans, at Piqua, Ohio; 171 cases, and 75 cases, each containing 24 14-ounce bottles, at Pikeville and London, Ky., respectively; and 24 cases, each containing 6 cans, and 34 cases, each containing 24 14-ounce bottles, at Lima, Ohio.

LABEL, IN PART: (Cans) "Scott Co. Tomato Catsup Contents 7 Lbs. 2 Oz.," or "Jackson Brand Tomato Catsup Contents 7 Lbs. 3 Oz."; (bottles) "Jackson [or "Old Mammy's"] Brand Tomato Catsup."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: Between December 22, 1944, and January 6, 1945, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

7326. Adulteration of dill tomato pickles. U. S. v. 176 Cartons of Dill Tomato Pickles. Default decree of condemnation and destruction. (F. D. C. No. 14337. Sample Nos. 52132–F, 52133–F.)

LIBEL FILED: October 30, 1944, District of Massachusetts.

ALLEGED SHIPMENT: On or about March 17, 1944, by the Michigan Trading Co., from Detroit, Mich.

PRODUCT: 176 cartons, each containing 12 jars, of dill tomato pickles, at Somerville, Mass.

LABEL, IN PART: "Bond Pickle Co., Oconto, Wis. Bond's Dill Tomato Pickles."