

DISPOSITION: January 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8457. Adulteration of tomato juice. U. S. v. 178 Cases of Tomato Juice. Default decree of forfeiture and destruction.** (F. D. C. No. 14435. Sample No. 63386-F.)

**LIBEL FILED:** November 17, 1944, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about September 19, 1944, by the H. J. McGrath Co., from Baltimore, Md.

**PRODUCT:** 178 cases, each containing 24 cans, of tomato juice at Miami, Fla.

**LABEL, IN PART:** "McGrath's Tomato Juice."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (2), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: May 11, 1945. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

**8458. Adulteration of canned tomato paste. U. S. v. 279 Cases of Canned Tomato Paste. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 14971. Sample No. 97205-F.)

**LIBEL FILED:** January 8, 1945, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about October 14, 1944, by the Uddo and Taormina Co, from Buena Park, Calif.

**PRODUCT:** 279 cases, each containing 6 7-pound cans, of tomato paste at New Orleans, La.

**LABEL, IN PART:** "Progresso Brand Fancy California Tomato Paste."

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

DISPOSITION: June 29, 1945. The Uddo & Taormina Co., claimant, having admitted the allegations of the libel, judgment of condemnation was 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.

**8459. Adulteration of canned tomato pulp. U. S. v. 794 Cases of Tomato Pulp. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 14821. Sample No. 54681-F.)

**LIBEL FILED:** On or about January 3, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about October 12, 1944, by the Farm Bureau Fruit Products Co., from Bay City, Mich.

**PRODUCT:** 794 cases, each containing 6 6-pound, 6-ounce cans, of tomato pulp at Chicago, Ill.

**LABEL, IN PART:** "Farm Bureau Brand Tomato Pulp."

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

DISPOSITION: February 21, 1945. The Farm Bureau Products Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be used as fox feed, under the supervision of the Food and Drug Administration.

**8460. Adulteration and misbranding of tomato puree. U. S. v. San Martin Canning Co. Plea of nolo contendere. Fine, \$400.** (F. D. C. No. 14294. Sample Nos. 65613-F, 65618-F, 66170-F.)

**INFORMATION FILED:** February 28, 1945, Northern District of California, against the San Martin Canning Co., a corporation, San Martin, Calif.

**ALLEGED SHIPMENT:** On or about December 23, 1943, and January 5, 1944, from the State of California into the States of New York and Connecticut.

**LABEL, IN PART:** (Cans) "Net Contents 6 Lbs. 8 Oz. Calirose Brand Tomato Puree Packed For A. M. Beebe Company, Inc. San Francisco."

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

Misbranding, Section 403 (e) (2), the label failed to bear an accurate statement of the quantity of the contents, since the cans contained less than the stated amount.

**DISPOSITION:** April 12, 1945. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$100 on each of the four counts, a total fine of \$400.

**8461. Adulteration of tomato puree. U. S. v. 147 Cases of Tomato Puree. Default decree of condemnation and destruction.** (F. D. C. No. 14854. Sample No. 84521-F.)

**LIBEL FILED:** On or about December 23, 1944, District of Connecticut.

**ALLEGED SHIPMENT:** On or about November 20, 1944, by Ensher, Alexander and Barsoom, Inc., from Oakland, Calif.

**PRODUCT:** 147 cases, each containing 6 cans, of tomato puree at New Haven, Conn.

**LABEL, IN PART:** (Cans) "Net Weight 6 Lbs. 9 Oz. Cal-fine California Fancy Tomato Puree."

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

**DISPOSITION:** May 9, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8462. Adulteration of tomato puree. U. S. v. 247 Cases of Tomato Puree. Default decree of condemnation and destruction.** (F. D. C. No. 15013. Sample No. 29303-H.)

**LIBEL FILED:** January 23, 1945, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about January 5, 1945, by Parrott and Co., from Oakland, Calif.

**PRODUCT:** 247 cases, each containing 6 cans, of tomato puree at New Orleans, La.

**LABEL, IN PART:** "Valley Belt Tomato Puree."

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

**DISPOSITION:** April 19, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8463. Adulteration of tomato puree. U. S. v. 2,191 Cases of Tomato Puree. Default decree of condemnation and destruction.** (F. D. C. No. 14701. Sample No. 33859-F.)

**LIBEL FILED:** December 4, 1944, Western District of New York.

**ALLEGED SHIPMENT:** On or about September 21, 1944, by Clement Pappas and Co., from Cedarville, N. J.

**PRODUCT:** 2,191 cases, each containing 6 No. 10 cans, of tomato puree at Lockport, N. Y.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae and larva eggs.

**DISPOSITION:** April 4, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

## MEAT AND POULTRY PRODUCTS

**8464. Adulteration of raw chicken fat. U. S. v. First National Stores, Inc. Plea of nolo contendere. Fine, \$25.** (F. D. C. No. 9631. Sample Nos. 19602-F, 19604-F to 19606-F, incl., 19608-F, 19609-F.)

**INFORMATION FILED:** On June 25, 1943, in the District of Massachusetts, against the First National Stores, Inc., Somerville, Mass.

**ALLEGED SHIPMENT:** Between the approximate dates of November 18 and December 1, 1942, the defendant caused to be introduced and delivered for introduction into interstate commerce, from the States of Connecticut, Maine, New Hampshire, and New York into the State of Massachusetts, a quantity of raw chicken fat.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, putrid, and decomposed substance by reason of the presence of fecal material, sections of intestines and skin, and decomposed and putrid animal tissues.

**DISPOSITION:** November 8, 1944. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$25 was imposed.