8632. Adulteration of tomato paste. U. S. v. 313 Cases of Tomato Paste. Default decree of condemnation. Product ordered delivered to a public institution. (F. D. C. No. 15429. Sample No. 29307–H.)

LIBEL FILED: February 26, 1945, Western District of Michigan.

ALLEGED SHIPMENT: On or about February 5, 1945, by Flotill Products, Inc., from Stockton, Calif.

PRODUCT: 313 cases, each containing 96 6-ounce or 6¼-ounce cans, of tomato paste at Marquette, Mich.

LABEL, IN PART: "Flotta [or "Flotta Brand Fancy"] Tomato Paste."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: November 1, 1945. Flotill Products, Inc., having entered a special appearance in the case, which was subsequently withdrawn, judgment of condemnation was entered and the product was ordered delivered to a public institution, for use as animal feed.

8633. Adulteration of tomato puree. U. S. v. 396 Cartons of Tomato Puree. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16308. Sample Nos. 11828–H, 11830–H.)

LIBEL FILED: May 31, 1945, District of Massachusetts.

ALLEGED SHIPMENT: On or about January 5, 1945, by the Arthur Canneries, from Montpelier, Ind.

PRODUCT: 396 cartons, each containing 6 6-pound, 8-ounce cans, of tomato puree at Boston, Mass.

LABEL, IN PART: "Matchless Brand Tomato Puree * * * Webster-Thomas Co., Boston, Mass. Distributors."

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

DISPOSITION: September 17, 1945. The Triangle Sales Corporation, Lynn, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

8634. Adulteration of tomato puree. U. S. v. 249 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 15076. Sample No. 6042–H.)

LIBEL FILED: January 22, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about December 11, 1944, by the Sun Garden Packing Co., from San Jose, Calif.

PRODUCT: 249 cases, each containing 24 1-pound, 12-ounce cans, of tomato puree at New York, N. Y.

LABEL, IN PART: "Red Bow Puree of Tomatoes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: September 11, 1945. The shipper having filed a claim of ownership, but subsequently having defaulted, judgment of condemnation was entered and the product was ordered destroyed.

8635. Adulteration of tomato puree. U. S. v. 138⅚ Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 16143. Sample No. 31817–H.)

LIBEL FILED: August 2, 1945, District of Arizona.

ALLEGED SHIPMENT: On or about February 9, 1945, by the Elsa Canning Co., from Elsa, Tex.

PRODUCT: 138⅚ cases, each containing 6 6½-pound cans, of tomato puree at Tucson, Ariz.

LABEL, IN PART: (Cases) "Ro-Tel Brand Tomato Puree."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: September 21, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.