

DISPOSITION: Between January 23 and April 25, 1946, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

9581. Adulteration of canned turnip greens. U. S. v. 748 Cases of Canned Turnip Greens (and 2 other seizure actions against canned turnip greens). Decrees of condemnation and destruction. (F. D. C. Nos. 17167, 18025, 18094. Sample Nos. 22785-H, 22985-H, 30307-H.)

LABELS FILED: August 23, October 23, and November 9, 1945, Western District of Tennessee, Eastern District of Arkansas, and District of Colorado.

ALLEGED SHIPMENT: Between the approximate dates of June 11 and August 27, 1945, by the Baron Canning Co., from Westville, Okla.

PRODUCT: Turnip greens. 748 cases at Memphis, Tenn., 941 cases at Little Rock, Ark., and 197 cases at Denver, Colo., each case containing 24 1-pound, 2-ounce cans.

LABEL, IN PART: "Howard's Turnip Greens."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, insect fragments, larvae, and aphids.

DISPOSITION: November 29 and December 11, 1945, and February 14, 1946. No claimant having appeared for the Little Rock lot, and the sole interveners for the Memphis and Denver lots having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered destroyed.

9582. Adulteration of canned turnip greens. U. S. v. 303 Cases of Canned Turnip Greens. Default decree of condemnation and destruction. (F. D. C. No. 18485. Sample No. 25121-H.)

LABEL FILED: On or about December 27, 1945, Northern District of Texas.

ALLEGED SHIPMENT: On or about August 8, 1945, by the Litteral Canning Co., from Fayetteville, Ark.

PRODUCT: 303 cases, each containing 24 1-pound, 2-ounce cans, of turnip greens at San Angelo, Tex.

LABEL, IN PART: "Licano Brand Turnip Greens."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of aphids and larvae.

DISPOSITION: February 14, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

TOMATOES AND TOMATO PRODUCTS*

9583. Adulteration of canned tomatoes. U. S. v. 178 Cases of Canned Tomatoes. Default decree of condemnation and destruction. (F. D. C. No. 18481. Sample No. 24248-H.)

LABEL FILED: November 30, 1945, Southern District of Mississippi.

ALLEGED SHIPMENT: On or about October 18, 1945, by the Preston Rider Packing Co., from Campbellsburg, Ind.

PRODUCT: 178 Cases, each containing 24 cans, of tomatoes at Biloxi, Miss.

LABEL, IN PART: "Dubon Brand Tomatoes Contents 1 Lb. 3 Oz."

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

DISPOSITION: February 20, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9584. Adulteration of tomato catsup. U. S. v. 36 Cases of Tomato Catsup. Default decree of destruction. (F. D. C. No. 19661. Sample No. 52852-H.)

LABEL FILED: April 24, 1946, Southern District of Ohio.

ALLEGED SHIPMENT: On or about March 11, 1946, by the Indiana Wholesale Food Supply, Gary, Ind.

PRODUCT: 36 cases, each containing 24 14-ounce bottles, of tomato catsup at Athens, Ohio.

LABEL, IN PART: "Jackson Tomato Catsup * * * packed by Morgan Packing Co., Austin, Indiana."

*See also No. 9545.

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

DISPOSITION: May 29, 1946. No claimant having appeared, judgment was entered ordering the product destroyed.

9585. Adulteration of tomato puree and tomato juice. U. S. v. 10 Cases of Tomato Puree and 7½ Cases of Tomato Juice. Default decrees of condemnation and destruction. (F. D. C. Nos. 19127, 19128. Sample Nos. 58166-H, 58168-H.)

LIBELS FILED: February 21, 1946, Western District of Washington.

ALLEGED SHIPMENT: On or about October 31, 1945, by the Mel-Williams Co., from Sonoma, Calif.

PRODUCT: 10 cases, each containing 6 6-pound, 9-ounce cans, of tomato puree and 7½ cases, each containing 12 1-quart, 14-ounce cans, of tomato juice at Seattle, Wash.

LABEL, IN PART: "Tom Tom Tomato Puree Packed by Valley Canning Company Sonoma, California," or "Happy Home * * * Tomato Juice."

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

DISPOSITION: May 31, 1946. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

9586. Misbranding of tomato juice. U. S. v. 258 Cases of Tomato Juice. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19349. Sample No. 29979-H.)

LIBEL FILED: March 15, 1946, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about January 28, 1946, by the United States Products Corporation, Ltd., from Alameda, Calif.

PRODUCT: 258 cases, each containing 6 3-quart cans, of tomato juice at New Orleans, La. Examination showed that a portion of this product, identified by a certain code mark, was tomato puree and not, as labeled, tomato juice.

LABEL, IN PART: "Signet Brand Fancy California Tomato Juice."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation, "Tomato Juice," was false and misleading as applied to tomato puree.

DISPOSITION: April 23, 1946. The United States Products Corporation, Ltd., San Jose, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

9587. Adulteration of canned tomato puree and tomato paste. U. S. v. Sun Garden Packing Co. Plea of guilty. Fine, \$500. (F. D. C. No. 17782. Sample Nos. 6042-H, 11805-H, 28415-H, 28455-H, 29306-H.)

INFORMATION FILED: February 13, 1946, Northern District of California, against the Sun Garden Packing Co., a partnership, San Jose, Calif.

ALLEGED SHIPMENT: Between the approximate dates of November 10, 1944, and January 15, 1945, from the State of California into the States of New York, Massachusetts, Washington, and New Jersey.

LABEL, IN PART: "Red Bow Puree of Tomatoes," or "Green Bow Tomato Paste."

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

DISPOSITION: March 13, 1946. A plea of guilty having been entered, the defendant was fined \$500.

9588. Adulteration of tomato paste and tomato puree. U. S. v. Uddo & Taormina Co. and Vincent G. Taormina. Pleas of guilty. Corporate defendant fined \$300; individual defendant fined \$100 on each of 7 counts, with sentence suspended on count 8, and placed on probation for 2 years. (F. D. C. No. 16529. Sample Nos. 77250-F, 78277-F, 85302-F, 85304-F, 92922-F to 92924-F, incl., 92930-F.)

INFORMATION FILED: October 8, 1945, District of New Jersey, against the Uddo & Taormina Co., a partnership, Vineland, N. J., and Vincent G. Taormina, a member of the partnership.