

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

DISPOSITION: August 19, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9968. Adulteration of tomato catsup. U. S. v. 15 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. D. C. No. 20378. Sample No. 15355-H.)

LIBEL FILED: July 2, 1946, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about March 9 and 15, 1946, by the Indiana Wholesale Food Supply Corporation, from Gary, Ind.

PRODUCT: 15 cases, each containing 24 14-ounce bottles, of tomato catsup at Racine, Wis.

LABEL, IN PART: "Jackson Brand Tomato Catsup * * * Packed by Morgan Packing Company, Austin, Indiana."

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: August 6, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9969. Adulteration of tomato juice. U. S. v. Roger H. Denbo (R. H. Denbo Canning Co.). Plea of guilty. Fine, \$325 and costs, and probation for 1 year. (F. D. C. No. 20434. Sample Nos. 39405-H, 39406-H, 39411-H, 39413-H.)

INFORMATION FILED: June 20, 1946, Northern District of Indiana, against Roger H. Denbo, trading as the R. H. Denbo Canning Co., Roanoke, Ind.

ALLEGED SHIPMENT: On or about September 23 and 24 and October 3, 1945, from the State of Indiana into the State of Illinois of quantities of unlabeled canned tomato juice.

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: July 9, 1946. A plea of guilty having been entered, the court imposed a fine of \$100 on each of counts 1, 2, and 3, plus costs, and placed the defendant on probation for a period of 1 year, without sentence, on count 4 of the information.

9970. Adulteration of tomato juice. U. S. v. 415 Cases of Tomato Juice. Default decree ordering product denatured or destroyed. (F. D. C. No. 19794. Sample Nos. 51307-H, 51308-H.)

LIBEL FILED: April 27, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about March 23, 1946, by the Bortz-Sakowitz Co., from Indianapolis, Ind.

PRODUCT: 415 cases, each containing 24 1-pint, 2-ounce cans, of tomato juice at Minneapolis, Minn.

LABEL, IN PART: "Hartley's Brand Tomato Juice Packed By Hartley & Sons Canning Co., Elwood, Ind."

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 moldy and decomposed tomato material.

DISPOSITION: August 5, 1946. No claimant having appeared, judgment was entered ordering the product denatured for use as animal feed, under the supervision of the Food and Drug Administration; otherwise the product was to be destroyed.

9971. Misbranding of tomato juice. U. S. v. 49 Cases of Tomato Juice. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 19784. Sample Nos. 35189-H, 35190-H.)

LIBEL FILED: April 24, 1946, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about November 24, 1945, by the Limberlost Canning Corporation, from Geneva, Ind.

PRODUCT: 49 cases, each containing 12 cans, of tomato juice at St. Louis, Mo. Examination showed that the product was short-volume.

LABEL, IN PART: (Can) "Lady Geneva Brand Tomato Juice Contents 1 Qt. 14 Fl. Oz."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: May 22, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

9972. Adulteration of canned tomato paste. U. S. v. 71 Cases and 275 Cases of Canned Tomato Paste. Default decrees of condemnation and destruction. (F. D. C. Nos. 19968, 19969. Sample No. 45591-H.)

LIBELS FILED: May 28, 1946, Southern District of Florida.

ALLEGED SHIPMENT: On or about April 22, 1946, by the Matmor Canning Co., Inc., from Woodland, Calif.

PRODUCT: 346 cases, each containing 6 7-pound cans, of tomato paste at Miami, Fla.

LABEL, IN PART: "Contadina Fancy Tomato Paste * * * Packed By Hershel California Fruit Products Company San Jose, Cal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance since it was undergoing progressive spoilage.

DISPOSITION: August 19, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

9973. Adulteration of canned tomato paste. U. S. v. 13 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. D. C. No. 20069. Sample No. 45539-H.)

LIBEL FILED: June 6, 1946, District of Nevada.

ALLEGED SHIPMENT: On or about April 2, 1946, by the California Conserving Co., from Hayward, Calif.

PRODUCT: 13 cases, each containing 100 6-ounce cans, of tomato paste at Reno, Nev.

LABEL, IN PART: "C-H-B California 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: July 19, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9974. Adulteration of canned tomato puree. U. S. v. 432 Cases of Canned Tomato Puree. Default decree of forfeiture and destruction. (F. D. C. No. 19880. Sample No. 50970-H.)

LIBEL FILED: May 16, 1946, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about January 14, 1946, by the Finer Foods Packing Corporation, Terre Haute, Ind.

PRODUCT: 432 cases, each containing 6 cans, of tomato puree at Barron, Wis.

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: August 1, 1946. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

9975. Adulteration of canned tomato puree. U. S. v. 299 Cases and 40 Cases of Tomato Puree. Default decrees of condemnation and destruction. (F. D. C. Nos. 19749, 19753. Sample Nos. 9140-H, 63381-H.)

LIBELS FILED: May 6, 1946, Southern and Eastern Districts of New York.

ALLEGED SHIPMENT: On or about November 21, 1945, by the San Jose Canning Co., San Jose, Calif.

PRODUCT: Tomato puree. 299 cases at New York, N. Y., and 40 cases at Brooklyn, N. Y. Each case contained 24 1-pound, 12-ounce cans.

LABEL, IN PART: "Redpack Tomato Puree."

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 21 and June 5, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.