DISPOSITION: October 30, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

10317. Adulteration of green split peas. U. S. v. 850 Bags of Green Split Peas. Default decree of condemnation and destruction. (F. D. C. No. 17729. Sample No. 9456–H.)

LIBEL FILED: October 3, 1945, Western District of New York.

ALLEGED SHIPMENT: On or about March 24, 1945, by the Trinidad Bean and Elevator Co., from Palouse, Wash.

PRODUCT: 850 50-pound bags of green split peas at Batavia, N. Y.

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 larvae, cocoons, and webbing.

DISPOSITION: November 30, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

TOMATOES AND TOMATO PRODUCTS

10318. Adulteration and misbranding of tomato puree. U. S. v. Stockton Food Products, Inc. Plea of guilty. Fine, $2,000. (F. D. C. No. 17783. Sample Nos. 33857–F, 92361–F.)

INFORMATION FILED: January 25, 1946, Northern District of California, against Stockton Food Products, Inc., Stockton, Calif.

ALLEGED SHIPMENT: On or about October 6 and 7, 1944, from the State of California into the State of New York.

LABEL, IN PART: The product was unlabeled, but it was billed as "Fcy Tomato Puree."

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.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for tomato puree since it was sealed in a container and had not been so processed by heat, before or after sealing, as to prevent spoilage, as required by the regulations.

DISPOSITION: April 8, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $500 on each of the 4 counts.

10319. Adulteration of tomato puree. U. S. v. 916 Cases and 175 Cases of Tomato Puree. Decrees of condemnation. Portion of product ordered destroyed; remainder ordered released under bond. (F. D. C. Nos. 17533, 18929. Sample Nos. 14381–H, 19861–H.)

LIBELS FILED: February 1 and 20, 1946, Middle District of Tennessee and District of Minnesota.

ALLEGED SHIPMENT: November 15, 1945, and January 21, 1946, by the Blue River Packing Co., from Morristown and Shelbyville, Ind.

PRODUCT: Tomato puree. 916 cases at Nashville, Tenn., and 175 cases at Minneapolis, Minn. Each case contained 6 6-pound, 8-ounce cans, of the product.

LABEL, IN PART: "Blue River Brand Fancy Tomato Puree."

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

DISPOSITION: On March 20, 1946, the Blue River Packing Co., claimant for both lots, having admitted the allegations of the libel filed at Minneapolis, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the fit be separated from the unfit and that both be disposed of in compliance with the law, under the supervision of the Food and Drug Administration. On September 9, 1946, the claimant having failed to answer or defend the action instituted at Nashville, judgment of condemnation was entered and the product was ordered destroyed.

10320. Adulteration of tomato puree. U. S. v. 163 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 16642. Sample No. 29641–H.)

LIBEL FILED: June 21, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 31, 1945, by the California Best Products Co., from San Francisco, Calif.