

**10452. Adulteration of canned sweet potatoes. U. S. v. 145 Cases \* \* \*.**  
(F. D. C. No. 18220. Sample No. 398-H.)

**LIBEL FILED:** October 30, 1945, Southern District of Georgia.

**ALLEGED SHIPMENT:** On or about December 27, 1944, by Charles R. Allen, from Charleston, S. C.

**PRODUCT:** 145 cases, each containing 24 cans, of sweet potatoes at Brunswick, Ga. Examination showed that the product had undergone decomposition.

**LABEL, IN PART:** (Can) "Kett's Kettle Brand Net Contents 1 Lb. 13 Oz. Selected Golden Mashed Sweet Potatoes Packed by Ketteringham Canning Co., Ville Platte, La."

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

**DISPOSITION:** January 15, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### TOMATOES AND TOMATO PRODUCTS

**10453. Adulteration of canned tomatoes. U. S. v. 1,825 Cases \* \* \*.** (F. D. C. No. 21746. Sample No. 67378-H.)

**LIBEL FILED:** On or about November 22, 1946, Northern District of Oklahoma.

**ALLEGED SHIPMENT:** On or about August 10, 1946, by the Appleby-Young Canning Co., from West Fork, Ark.

**PRODUCT:** 1,825 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Tulsa, Okla.

**LABEL, IN PART:** "Western Star Hand Packed Tomatoes."

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

**DISPOSITION:** January 2, 1947. The Appleby-Young Canning Co., 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 Federal Security Agency.

**10454. Adulteration and misbranding of canned tomatoes. U. S. v. 74 and 698 Cases \* \* \*.** (F. D. C. Nos. 21664, 21676. Sample Nos. 1699-H, 3763-H.)

**LIBELS FILED:** November 22 and 25, 1946, Middle District of North Carolina.

**ALLEGED SHIPMENT:** On or about July 25 and August 27, 1946, by Taylor & Sledd, Inc., from Richmond, Va.

**PRODUCT:** 74 cases and 698 cases, each case containing 24 1-pound, 3-ounce cans, of tomatoes at Concord and Burlington, N. C., respectively.

**LABEL, IN PART:** "Kinsale Brand Tomatoes \* \* \* Packed by Kinsale Canning Co. Kinsale, Va.," or "Green Vale Brand \* \* \* Tomatoes Packed by R. E. Dobyns Monaskon, Va."

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

Misbranding, Section 403 (h) (1), (Concord lot) the article fell below the standard of quality for canned tomatoes by reason of an excess of tomato peel.

**DISPOSITION:** December 27, 1946, and January 17, 1947. Taylor & Sledd, Inc., claimant for the Concord lot, having consented to the entry of a decree, and no claimant having appeared for the Burlington lot, judgments of condemnation were entered. It was ordered that the Concord lot be released under bond for relabeling under the supervision of the Federal Security Agency, and that the Burlington lot be destroyed.

**10455. Misbranding of canned tomatoes. U. S. v. 9,800 Cases \* \* \*.** (F. D. C. No. 22131. Sample No. 66003-H.)

**LIBEL FILED:** December 26, 1946, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** Between the approximate dates of September 10 and 17, 1946, by Bay Country Foods, Inc., from Hopewell, Md.