

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 paste since it contained less than 25 percent of salt-free tomato solids, the minimum provided by the regulations.

DISPOSITION: January 21, 1952. The sole intervener having withdrawn its claim, judgment of condemnation was entered and the court ordered that the product be destroyed.

18286. Adulteration of tomato puree. U. S. v. Franklin MacVeagh & Co. Plea of guilty. Fine of \$200 and costs. (F. D. C. No. 31125. Sample No. 9721-L.)

INFORMATION FILED: August 16, 1951, Northern District of Indiana, against Franklin MacVeagh & Co., a corporation, Chicago, Ill.

ALLEGED SHIPMENT: On or about February 22, 1951, from the State of Indiana into the State of Illinois.

LABEL, IN PART: "Sweetheart Contents 6 Lbs. 9 Ozs. De Luxe Tomato Puree Packed for Franklin MacVeagh And Company Chicago, Ill."

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

DISPOSITION: February 7, 1952. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$200, together with costs.

18287. Adulteration of tomato puree. U. S. v. 290 Cases * * *. (F. D. C. No. 29848. Sample No. 73869-K.)

LIBEL FILED: October 26, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about August 23, 1950, by Albert W. Sisk & Son, from Hurlock, Md.

PRODUCT: 290 cases, each containing 24 1-pound, 12-ounce cans, of tomato puree at New York, N. Y.

LABEL, IN PART: "De Cecco Brand Extra Heavy Tomato Puree * * * Packed * * * By John N. Wright Jr. Hurlock, Md."

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: December 19, 1951. John N. Wright, Jr., claimant, having failed to file an answer to the libel and no other claimant having appeared, a default decree of condemnation and destruction was entered.

18288. Adulteration of tomato sauce. U. S. v. Hunt Foods New Jersey, Inc. Plea of guilty. Fine of \$500 and probation for two years. (F. D. C. No. 31537. Sample Nos. 95563-K, 25236-L.)

INFORMATION FILED: August 10, 1951, District of New Jersey, against Hunt Foods New Jersey, Inc., trading at Bridgeton, N. J.

ALLEGED SHIPMENT: On or about November 22, 1950, and January 2, 1951, from the State of New Jersey into the State of Pennsylvania.

LABEL, IN PART: "Hunt's Tomato Sauce * * * Packed In U. S. A. By Hunt Foods Inc. Main Office Fullerton, California."

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

DISPOSITION: January 18, 1952. A plea of guilty having been entered, the court imposed a fine of \$500 on the first count of the information, suspended imposition of sentence on the second count, and placed the defendant on probation for 2 years.

NUTS

18289. Adulteration of shelled almonds. U. S. v. 141 Cartons, etc. (F. D. C. No. 31513. Sample Nos. 19513-L, 19515-L.)

LIBEL FILED: September 5, 1951, District of Minnesota.

ALLEGED SHIPMENT: On or about July 21, 1951, from Hoboken, N. J.

PRODUCT: 141 cartons, each containing 40 pounds, and 21 bags, each containing 50 kilos, of shelled almonds at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect-infested and insect-damaged nuts. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 18, 1951. The Johnson Nut Co., Minneapolis, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was processed to eliminate all filth and objectionable material. Of the 7,865 pounds seized, 7,657 pounds were salvaged as fit.

18290. Adulteration of peanuts in shell. U. S. v. 150 Bags * * * (F. D. C. No. 31462. Sample No. 30049-L.)

LIBEL FILED: August 9, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about December 16, 1950, from Suffolk, Va.

PRODUCT: 150 bags, each containing approximately 89 pounds, of peanuts in shell at Seattle, Wash.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insect-infested and moldy peanuts. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 24, 1952. Manning's Inc., Seattle, Wash., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned that it be denatured for use as hog feed.

18291. Adulteration of peanuts in shell. U. S. v. 56 Bags * * * (F. D. C. No. 31873. Sample No. 35690-L.)

LIBEL FILED: October 9, 1951, District of Minnesota.

ALLEGED SHIPMENT: On or about November 15, 1950, and May 21, 1951, from Suffolk, Va.

PRODUCT: 56 100-pound bags of peanuts in shell at Pipestone, Minn., in possession of the Robson Grocery Co.