

## TOMATOES

23632. Canned tomatoes. (F. D. C. No. 39633. S. No. 61-861 M.)

QUANTITY: 1,000 cases, 24 1-lb. cans each, at Bronx, N. Y.

SHIPPED: 8-16-56, from Federalsburg, Md., by John N. Wright, Jr.

LABEL IN PART: (Can) "Wright's Best Tomatoes."

LIBELED: 10-24-56, S. Dist. N. Y.

CHARGE: 403 (g) (1)—when shipped, the article failed to conform to the definition and standard of identity for canned tomatoes since some cans contained peas instead of tomatoes as labeled; 403 (g) (2)—the article contained the optional ingredient, an added calcium salt, and its label failed to bear the name of such ingredient as required by the definition and standard of identity; and Section 403 (h) (1)—the quality of the article fell below the standard of quality for canned tomatoes because of excessive peel and blemishes and low drained weight.

DISPOSITION: 1-18-57. Consent—claimed by John N. Wright, Jr., and relabeled.

## NUTS

23633. Unshelled brazil nuts. (F. D. C. No. 39651. S. Nos. 45-625/8M.)

QUANTITY: 17 100-lb. bags; 553 cases, 24 1-lb. bags each; 1,400 bags, containing a total of 180,000 lbs; and 750 bags, containing a total of 90,000 lbs., at Norfolk, Va.

SHIPPED: Between April 1955 and April 1956, from Brazil.

LIBELED: 10-25-56, E. Dist. Va.

CHARGE: 402 (a) (3)—contained moldy and rancid nuts and insects while held for sale.

DISPOSITION: 11-8-56. Consent—claimed by Southgate Foods, Inc., Norfolk, Va. Segregated; 83,400 lbs. destroyed.

23634. Shelled peanuts. (F. D. C. No. 39614. S. No. 33-560 M.)

QUANTITY: 34 60-lb. bags at Kansas City, Mo., in possession of Kansas City Terminal Warehouse Co.

SHIPPED: 6-27-56, from Suffolk, Va.

LIBELED: 10-29-56, W. Dist. Mo.

CHARGE: 402 (a) (3)—contained rodent urine; and 402 (a) (4)—held under insanitary conditions.

DISPOSITION: 12-6-56. Consent—claimed by Kansas City Terminal Warehouse Co. Segregated; 7 bags destroyed.

23635. Shelled pecans. (F. D. C. No. 39607. S. No. 56-660 M.)

QUANTITY: 7 30-lb. cases at Minneapolis, Minn.

SHIPPED: 9-25-56, from Tyler, Tex., by Woldert Co.

LIBELED: 10-29-56, Dist. Minn.

CHARGE: 402 (a) (3)—contained decomposed pecans when shipped.

DISPOSITION: 12-27-56. Default—consumption by animals.

23636. Shelled walnuts. (F. D. C. No. 39615. S. No. 40-694 M.)

QUANTITY: 9 55-lb. boxes at Minneapolis, Minn.

**SHIPPED:** 9-17-56, from New York, N. Y., by Thomas F. Riddle & Co.  
**LABEL IN PART:** (Boxes) "Amber Pieces 10464 Pvamabzade Produce of Iran."  
**LIBELED:** 10-31-56, Dist. Minn.  
**CHARGE:** 402 (a) (3)—contained insect-damaged, rancid, and moldy walnuts when shipped.  
**DISPOSITION:** 12-27-56. Default—consumption by animals.

### OILS AND FATS

**23637. Table and cooking oil.** (F. D. C. Nos. 39590, 39591. S. Nos. 26-458/9 M.)  
**QUANTITY:** 59 1-gal. cans at Madison, Wis.  
**SHIPPED:** 4-24-56 and 9-10-56, from Chicago, Ill., by J. P. Graziano Grocery Co.  
**LABEL IN PART:** "Victoria Brand."  
**LIBELED:** 10-11-56, W. Dist. Wis.  
**CHARGE:** 402 (b) (1)—a valuable constituent, olive oil, had been in whole or in part omitted from the article when shipped; and 403 (a)—the label statement "An Excellent Blend Of Pure Corn Oil And Pure Olive Oil" was false and misleading as applied to the article, which contained corn oil with little if any olive oil.  
**DISPOSITION:** 11-14-56. Default—delivered for the use of a charitable institution.

**23638. Olive oil.** (F. D. C. No. 39465. S. No. 52-628 M.)  
**QUANTITY:** 128 cans at Elmont, N. Y.  
**SHIPPED:** 8-1-56, from Lodi, N. J., by Elite Packing Co.  
**LABEL IN PART:** "One Gallon The Prince Brand 100% Pure Imported Olive Oil."  
**LIBELED:** 9-21-56, E. Dist. N. Y.  
**CHARGE:** 402 (b) (1)—a valuable constituent, olive oil, had been in whole or in part omitted from the article when shipped; 402 (b) (2)—artificially flavored corn oil, with little or no olive oil, had been substituted for olive oil; 403 (a)—the label statement "100% Pure Imported Olive Oil" was false and misleading as applied to the article, which contained artificially flavored corn oil with little or no olive oil; and 403 (i) (2)—the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient since corn oil was not declared.  
**DISPOSITION:** 10-29-56. Default—delivered for the use of a charitable institution.

### SPICES, FLAVORS, AND SEASONING MATERIALS

**23639. Angelica root.** (F. D. C. No. 39647. S. No. 37-304 M.)  
**QUANTITY:** 8 140-lb. bales at Brooklyn, N. Y.  
**SHIPPED:** 2-20-56, from Belgium.  
**LIBELED:** 10-24-56, E. Dist. N. Y.  
**CHARGE:** 402 (a) (3)—contained moldy angelica root while held for sale.  
**DISPOSITION:** 11-21-56. Consent—claimed by Karl H. Landes & E. Balint, Inc., New York, N. Y. Segregated; 126 lbs. denatured.