tributor, and an accurate statement of the quantity of the contents; Section 403 (g) (2), it failed to bear the name of the food specified in the definition and standard for canned tomatoes; and, Section 403 (h) (1), the article fell below the standard for canned tomatoes by reason of its low drained weight.

DISPOSITION: March 10, 1947. The Washburn Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, to be relabeled under the supervision of the Federal Security Agency.

12179. Misbranding of canned tomatoes. U. S. v. 996 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 22318 to 22320, incl. Sample Nos. 48981-H, 50253-H, 67964-H.)

LIBELS FILED: February 28 and March 3 and 20, 1947, Northern District of Alabama, Eastern District of Oklahoma, and Northern District of Texas.

ALLEGED SHIPMENT: On or about August 30, September 2, and October 11, 1946, by the Thomas & Drake Canning Co., from Fayetteville, Ark.

PRODUCT: Canned tomatoes. 996 cases at Birmingham, Ala., 950 cases at Brownwood, Tex., and 1,800 cases at Ada, Okla. Each case contained 24 1-pound, 3-ounce cans.

LABEL, IN PART: (Cans) "Elm Tomatoes," "Staff-O-Life Brand * * * Hand Packed Tomatoes Distributed by Canners Exchange Inc. Springfield, Mo.," or "Concho Brand Tomatoes * * * Distributed by Waples-Platter Co."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article fell below the standard of quality for canned tomatoes, in that the drained weight was less than 50 percent of the weight of water required to fill the container, and the article was not labeled as substandard, as required by the regulations.

DISPOSITION: April 1, 10, and 24, 1947. C. N. Watson, Huntsville, Ark., claimant for the Alabama lot, the Crowe Canning Co., Wesley, Ark, claimant for the Oklahoma lot, and E. V. Watson, claimant for the Texas lot, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for relabeling, under the supervision of the Food and Drug Administration.

12180. Adulteration of canned tomato puree. U. S. v. Sardik Food Products Corporation. Plea of guilty. Fine, $500. (F. D. C. No. 22086. Sample Nos. 2096-H, 59999-H, 60950-H, 61303-H, 61306-H.)

INFORMATION FILED: June 17, 1947, Western District of New York, against the Sardik Food Products Corporation, Lockport, N. Y.

ALLEGED SHIPMENT: On or about November 13 and 14, 1946, from the State of New York into the States of Ohio and Pennsylvania, and the District of Columbia.

LABEL, IN PART: "Sardik Tomato Puree."

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

DISPOSITION: December 8, 1947. A plea of guilty having been entered on behalf of the defendant, a fine of $500 was imposed.

12181. Adulteration of canned tomato puree. U. S. v. Orestes Canning Company, Inc., and Grover C. Hutcherson. Pleas of guilty. Fines of $200 against the corporation and $100 against the individual. (F. D. C. No. 22087. Sample Nos. 22481-H, 52828-H.)

INFORMATION FILED: On or about July 18, 1947, Southern District of Indiana, against the Orestes Canning Company, Inc., trading at Elwood and Orestes, Ind., and Grover C. Hutcherson, manager of the Orestes plant of the corporation.

ALLEGED SHIPMENT: Between the approximate dates of September 24 and October 31, 1945, from the State of Indiana into the States of Illinois, Tennessee, and Missouri.

LABEL, IN PART: (Portions) "Mary Jane Watson Tomato Puree * * * Distributed by Grocers Wholesale, Incorporated, Chicago, Ill.," or "Hermitage Tomato Puree." The remainder of the article was unlabeled.

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.