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

DISPOSITION: April 1, 1948. Pleas of guilty having been entered on behalf of both defendants, the court imposed a fine of $100 on each of the 4 counts against each defendant, a total fine of $400 for each.

13335. Adulteration of tomato puree. U. S. v. 98 Cases * * *. (F. D. C. Nos. 18752, 18753. Sample Nos. 46619–H, 46620–H.)

LIBELS FILED: January 18, 1946, Territory of Hawaii.

ALLEGED SHIPMENT: On or about November 26, 1945, by Alexander & Baldwin, Ltd., from San Francisco, Calif.

PRODUCT: 245 cases, each containing 6 cans, of tomato puree at Honolulu, T. H.

LABEL, IN PART: "E and A Brand Fancy Tomato Puree Net Weight 6 Lbs. 9 Oz. Grown and Packed by Ensher, Alexander & Barsoom Inc., Sacramento, Calif."

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: September 6, 1946. The sole interveners having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered destroyed.

13336. Adulteration and misbranding of tomato puree. U. S. v. 24 Cases * * *. (F. D. C. No. 22663. Sample No. 90945–H.)

LIBEL FILED: March 4, 1947, Eastern District of North Carolina.

ALLEGED SHIPMENT: On or about December 10, 1946, by the North American Canning Co., from Dania, Fla.

PRODUCT: 24 cases, each containing 6 6-pound, 6-ounce cans, of tomato puree at Williamston, N. C.

LABEL, IN PART: "Sun Charm Brand Tomato Puree."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product 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 product fell below the definition and standard of identity for tomato puree, since it contained less than 8.37 percent of salt-free tomato solids.

DISPOSITION: June 4, 1947. Default decree of condemnation and destruction.

NUTS AND NUT PRODUCTS

13337. Adulteration of brazil nuts. U. S. v. 14 Bags * * * (and 1 other seizure action). (F. D. C. Nos. 21909, 23903. Sample Nos. 64640–H, 12219–K.)

LIBELS FILED: December 4, 1946, and November 6, 1947, District of Connecticut and Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 12, 1946, and October 21, 1947, by the Biddle Purchasing Co., from New York, N. Y.

PRODUCT: Brazil nuts. 14 100-pound bags at New Haven, Conn., and 35 100-pound bags at Philadelphia, Pa.

LABEL, IN PART: "Pan American Brand Fancy Large Washed [or "Amazon Brand Large Medium Washed"] Brazil Nuts * * * Packed by Red Line Commercial Co., New York, N. Y."

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 nuts, and of a decomposed substance by reason of the presence of rancid, moldy, and decomposed nuts.

DISPOSITION: January 6 and December 11, 1947. The Biddle Purchasing Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for cleaning and reprocessing, conditioned that the unfit portion remaining be destroyed, under the supervision of the Federal Security Agency.