

**DISPOSITION:** Between February 18 and April 18, 1949. Default decrees of condemnation and destruction.

**14799. Adulteration of tomato paste. U. S. v. 1,440 Cases \* \* \*. (F. D. C. No. 17537. Sample No. 59608-H.)**

**LIBEL FILED:** February 25, 1946, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 3, 1945, by the Capolino Packing Corp., from Atwater, Calif.

**PRODUCT:** 1,440 cases, each containing 96 7-ounce cans, of tomato paste at Pittsburgh, Pa.

**LABEL, IN PART:** "Tomato Paste Torino Brand."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed the presence of decomposed tomato material.)

**DISPOSITION:** On July 24, 1947, the J. Ossola Co. having appeared as claimant and denied that the product was adulterated, the matter was tried before the court and a verdict was returned for the Government. On May 18, 1948, the product was condemned and ordered destroyed.

**14800. Adulteration and misbranding of tomato puree. U. S. v. 14 Cases \* \* \* (and 1 other seizure action). (F. D. C. Nos. 26256, 26362. Sample Nos. 23332-K, 23937-K.)**

**LIBELS FILED:** January 3, 1949, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about July 26, 1947, and January 2, 1948, by the Uddo & Taormina Co., from Crystal Springs, Miss.

**PRODUCT:** Tomato puree. 14 cases at Baton Rouge, La., and 51 cases at New Orleans, La. Each case contained 6 10-ounce cans.

**LABEL, IN PART:** "Baby Brand Tomato Puree."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 8.37 percent of salt-free tomato solids had been substituted for tomato puree.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for tomato puree. (The standard provides for a minimum of 8.37 percent of salt-free tomato solids in tomato puree.)

**DISPOSITION:** February 3, 1949. Default decrees of condemnation and destruction.

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#### PRODUCTS

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# FEDERAL SECURITY AGENCY

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

14801-14850

#### FOODS

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Federal Security Agency. Published by direction of the Federal Security Administrator.

PAUL B. DUNBAR, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *January 16, 1950.*

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#### BEVERAGES AND BEVERAGE MATERIALS

**14801. Adulteration and misbranding of lemon juice. U. S. v. 22 Cases \* \* \***  
(and 1 other seizure action). (F. D. C. Nos. 26092, 26093. Sample Nos. 18293-K, 18294-K.)

**LIBELS FILED:** November 24, 1948, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about September 1, 1948, by the Puritan Company of America, from Chicago, Ill.

**PRODUCT:** 77 cases, each containing 24 1-pint bottles, of lemon juice at Cleveland, Ohio.

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