weight and reduce its quality or strength; Section 403 (g) (1), the product failed to conform to the definition and standard of identity for canned tomatoes since it contained added water, which is not permitted by the regulations as an ingredient of canned tomatoes; and, Section 403 (h) (1), the product failed to conform to the standard of quality for canned tomatoes since it contained excessive peel, and its label failed to bear a statement that the product fell below such standard.

DISPOSITION: January 16, 1950. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions. The order provided that the product be examined to determine whether it was wholesome and fit for human food before such delivery, and if not, the product was to be destroyed.

15738. Adulteration of canned tomatoes. U. S. v. 800 Cases * * *. (F. D. C. No. 28059. Sample No. 48615–K.)

LIBEL FILED: December 6, 1949, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 28, 1949, by the Twin Cedar Packing Co., from Landisville, N. J.

PRODUCT: 800 cases, each containing 6 No. 10 cans, of tomatoes at Philadelphia, Pa.

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 fly eggs and maggots; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 16, 1950. Default decree of condemnation and destruction.

15739. Adulteration and misbranding of canned tomatoes. U. S. v. 459 Cases * * *. (F. D. C. No. 28275. Sample No. 63066–K.)

LIBEL FILED: November 4, 1949, District of Massachusetts.

ALLEGED SHIPMENT: On or about August 26, 1949, by Thomas Roberts & Co., from Cambridge, Md.

PRODUCT: 459 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Haverhill, Mass.

LABEL, IN PART: (Can) "Pride of the Farm Brand."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), water had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality or strength.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for canned tomatoes since it contained added water, which is not permitted as an ingredient in the standard.

DISPOSITION: January 9, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

15740. Misbranding of canned tomatoes. U. S. v. 396 Cases * * *. (F. D. C. No. 28301. Sample No. 7597–K.)

LIBEL FILED: November 18, 1949, Western District of New York.

ALLEGED SHIPMENT: On or about October 20, 1949, by the Great Atlantic & Pacific Tea Co., from Charlotte, N. C.

PRODUCT: 396 cases, each containing 24 cans, of tomatoes at Hamlin, N. Y.