

16042. Adulteration of canned sweet potatoes. U. S. v. 580 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 28798, 28841. Sample Nos. 52739-K, 58663-K.)

LIBELS FILED: January 20 and February 7, 1950, Southern District of California and Northern District of Indiana.

ALLEGED SHIPMENT: On or about October 25 and November 2 and 17, 1949, by H. E. Kelley & Co., from New Church, Va.

PRODUCT: Canned sweet potatoes. 580 cases, each containing 24 1-pound, 7-ounce cans, at Los Angeles, Calif., and 174 cases, each containing 6 6-pound, 6-ounce cans, at Bluffton, Ind.

LABEL, IN PART: "Kelley's Whole Sweet Potatoes In Syrup" or "Golden Kelley's Whole In Syrup Sweet Potatoes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: April 6 and 13, 1950. The shipper having consented to the entry of a decree against the Los Angeles lot and no claimant having appeared for the Bluffton lot, judgments of condemnation were entered and the court ordered that the Los Angeles lot be destroyed and that the Bluffton lot be delivered to a Federal institution, for use as stock feed.

TOMATOES AND TOMATO PRODUCTS *

16043. Adulteration of canned tomatoes. U. S. v. 196 Cases * * *. (F. D. C. No. 28499. Sample No. 57093-K.)

LIBEL FILED: December 29, 1949, Eastern District of New York.

ALLEGED SHIPMENT: On or about October 30, 1949, by the Hopewell Sun Packing Co., from Hopewell, N. J.

PRODUCT: 196 cases, each containing 24 1-pound, 12-ounce cans, of tomatoes at Brooklyn, N. Y.

LABEL, IN PART: "LaGustosa Brand * * * Unpeeled Plum Tomatoes."

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.

DISPOSITION: April 13, 1950. Default decree of condemnation and destruction.

16044. Adulteration of tomato catsup. U. S. v. 333 Cases * * *. (F. D. C. No. 28801. Sample No. 76606-K.)

LIBEL FILED: January 20, 1950, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about August 23, 1949, by the Perry Canning Co., from Brigham City, Utah.

PRODUCT: 333 cases, each containing 6 6-pound, 15-ounce cans, of tomato catsup at St. Louis, Mo.

LABEL, IN PART: "Mountain Made Fancy Tomato Catsup."

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.

*See also Nos. 16002, 16003.

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

16045. Adulteration of tomato puree. U. S. v. Lloyd Sparrow (Lomax Canning Co.) Plea of guilty. Fine of \$300, plus costs. (F. D. C. No. 28775. Sample No. 64152-K.)

LIBEL FILED: March 14, 1950, Southern District of Illinois, against Lloyd Sparrow, trading as the Lomax Canning Co., Lomax, Ill.

ALLEGED SHIPMENT: Between the approximate dates of November 4 and 9, 1949, from the State of Illinois into the State of Iowa.

LABEL, IN PART: "Mississippi Valley Brand 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 decomposed tomato material.

DISPOSITION: March 22, 1950. A plea of guilty having been entered, the court fined the defendant \$300, plus costs.

16046. Adulteration of tomato puree. U. S. v. 86 Cases * * *. (F. D. C. No. 28778. Sample No. 46362-K.)

LIBEL FILED: January 19, 1950, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about October 24, 1949, by the Ladoga Canning Co., from Lebanon, Ind.

PRODUCT: 86 cases, each containing 48 10½-ounce cans, of tomato puree at Danville, Ill.

LABEL, IN PART: "Sugar Loaf 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.

DISPOSITION: March 2, 1950. Default decree of condemnation. The court ordered that the product be sold for purposes other than for human consumption and that in the event of failure to so dispose of the product, that it be destroyed.

NUTS AND NUT PRODUCTS

16047. Adulteration of brazil nuts. U. S. v. 98 Cases * * *. (F. D. C. No. 28465. Sample No. 56865-K.)

LIBEL FILED: December 6, 1949, District of New Jersey.

ALLEGED SHIPMENT: November 18, 1949, by Wm. A. Higgins & Co., Inc., from New York, N. Y.

PRODUCT: 98 cases, each containing 50 1-pound bags, of brazil nuts at Newark, N. J.

LABEL, IN PART: "Holly Large Washed Brazil Nuts."

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 moldy, rancid, and otherwise decomposed brazil nuts.

DISPOSITION: January 31, 1950. Wm. A. Higgins & Co., Inc., having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned that the unfit portion be segregated and destroyed, under the supervision of the Food