ALLEGED SHIPMENT: On or about September 4, 1950, by C. C. Cole, from Greenville, S. C.

PRODUCT: 814 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Hague, Va.

LABEL, IN PART: (Can) "Cole Brand Tomatoes."

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

DISPOSITION: May 11, 1951. Default decree of condemnation. The court ordered that the product be delivered to a public institution.

17483. Adulteration and misbranding of canned tomatoes. U. S. v. 372 Cases * * *. (F. D. C. No. 28397. Sample No. 42946-K.)

LIBEL FILED: December 12, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 1, 8, and 10, 1949, by Kennard Food Products, Inc., from Kennard, Ind.

PRODUCT: 372 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Chicago, Ill.

LABEL, IN PART: "Kitchen Pack Tomatoes."

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 purported to be and was represented as canned tomatoes, and it failed to comply with the definition and standard of identity since it contained added water, which is not a permitted ingredient of canned tomatoes.

DISPOSITION: June 27, 1951. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

17484. Adulteration of canned tomatoes. U. S. v. 199 Cases * * *. (F. D. C. No. 30502. Sample No. 9312-L.)

LIBEL FILED: February 14, 1951, Northern District of Illinois.

ALLEGED SHIPMENT: On or about December 9, 1950, by the H. J. McGrath Co., from Baltimore, Md.

PRODUCT: 199 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Chicago, Ill.

LABEL, IN PART: "Realm Vine Ripened 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: June 29, 1951. Default decree of condemnation and destruction.