17936. Misbranding of canned tomatoes. U. S. v. 117 Cases * * *. (F. D. C. No. 31799. Sample No. 3789–L.)

LIBEL FILED: November 1, 1951, Eastern District of North Carolina.

ALLEGED SHIPMENT: On or about August 31, 1951.

PRODUCT: 117 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Smithfield, N. C.

LABEL, IN PART: (Can) "Red-Glo Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes because of excessive peel, and the label failed to bear a statement that the article fell below the standard.

DISPOSITION: December 20, 1951. The shipper of the product having admitted the allegations of the libel and having requested that the product be delivered to a charitable institution, judgment of condemnation was entered and the court ordered that the product be delivered to a charitable institution for its use and not for sale.

17937. Adulteration of tomato catsup. U. S. v. 360 Cases * * *. (F. D. C. No. 31842. Sample No. 7496–L.)

LIBEL FILED: September 26, 1951, Western District of New York.

ALLEGED SHIPMENT: On or about August 27, 1951, by Hunt Foods, Inc., from Bridgeton, N. J.

PRODUCT: 360 cases, each containing 24 14-ounce bottles, of tomato catsup at Buffalo, N. Y.

LABEL, IN PART: (Bottle) "Hunt's Tomato Catsup."

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: October 22, 1951. Default decree of condemnation and destruction.

17938. Adulteration of tomato juice. U. S. v. Virgil Etchison (New Palestine Canning Co.). Plea of nolo contendere. Fine of $150, plus costs. (F. D. C. No. 31109. Sample No. 77680–K.)

INFORMATION FILED: June 27, 1951, Southern District of Indiana, against Virgil Etchison, trading as the New Palestine Canning Co., New Palestine, Ind.

ALLEGED SHIPMENT: On or about October 2, 1950, from the State of Indiana into the State of Missouri.

LABEL, IN PART: "Omega Tomato Juice Omega Canning Co. Omega, Ind."

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

DISPOSITION: November 23, 1951. A plea of nolo contendere having been entered, the court imposed a fine of $150, plus costs.

17939. Adulteration of tomato puree. U. S. v. 118 Cases, etc. (F. D. C. Nos. 31837, 31838. Sample Nos. 22076–L, 22079–L, 22087–L.)

LIBEL FILED: September 28, 1951, Southern District of Alabama.