

**TOMATOES AND TOMATO PRODUCTS**

**19886. Misbranding of canned tomatoes. U. S. v. 465 Cases \* \* \*. (F. D. C. No. 33870. Sample No. 44536-L.)**

**LIBEL FILED:** September 19, 1952, District of Connecticut.

**ALLEGED SHIPMENT:** On or about August 11, 1952, by the Chester Packing Co., from Chestertown, Md.

**PRODUCT:** 465 cases, each containing 24 1-pound cans, of tomatoes at Stamford, Conn.

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

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes since the drained weight of the contents of the container was less than 50 percent of the weight of the water required to fill the container and its label failed to bear a statement that the product fell below the standard.

**DISPOSITION:** October 31, 1952. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled, under the supervision of the Federal Security Agency.

**19887. Adulteration of tomato juice. U. S. v. 67 Cases \* \* \*. (F. D. C. No. 33671. Sample No. 53911-L.)**

**LIBEL FILED:** On or about September 8, 1952, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about August 6, 1952, by the Alamo Products Co., from Alamo, Tex.

**PRODUCT:** 67 cases, each containing 12 1-quart, 14-fluid-ounce cans, of tomato juice at Springfield, Mo.

**LABEL, IN PART:** "Magic Garden Texas Tomato Juice."

**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:** October 27, 1952. Default decree of destruction.

**19888. Adulteration of tomato paste. U. S. v. 2,925 Cases \* \* \*. (F. D. C. No. 32997. Sample No. 3904-L.)**

**LIBEL FILED:** April 3, 1952, Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about May 31, 1951, by Flotill Products, Inc., from Brooklyn, N. Y.

**PRODUCT:** 2,925 cases, each containing 6 9-pound, 14-ounce cans, of tomato paste at Richmond, Va.

**LABEL, IN PART:** (Cans) "ICA Industria Piacenza Italy Tomato Paste Dry Matter 28/30%" and "Oro Brand Packed in Italy Italian Tomato Paste."

**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:** On May 1, 1952. Default decree of condemnation. The court ordered that the product be delivered to State institutions for their use. The product was used as animal feed.

### NUTS

**19889. Adulteration of unshelled walnuts. U. S. v. 12 Bags \* \* \*. (F. D. C. No. 33649. Sample No. 48720-L.)**

**LIBEL FILED:** August 16, 1952, District of South Dakota.

**ALLEGED SHIPMENT:** On or about November 1, 1951, from Los Angeles, Calif.

**PRODUCT:** 12 100-pound bags of unshelled walnuts at Rapid City, S. Dak., in the possession of the Black Hills Albright Grocery Co.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** September 23, 1952. Black Hills Albright Grocery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. 674 pounds of the product were segregated as unfit and were destroyed.

**19890. Adulteration of black walnut kernels. U. S. v. 23 Cartons, etc. (F. D. C. No. 33903. Sample No. 26427-L.)**

**LIBEL FILED:** October 3, 1952, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about September 8, 1952, by Arthur P. Slaughter, from Bristol, Tenn.

**PRODUCT:** 23 50-pound cartons and 1 25-pound carton of black walnut kernels at Philadelphia, Pa.

**LABEL, IN PART:** "Tennessee Valley Blue Grass Brand Black Walnut Kernels."

**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 nuts.

**DISPOSITION:** October 21, 1952. The shipper having indicated that it had no objection to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

### OILS AND FATS

**19891. Adulteration and misbranding of table and cooking oils. U. S. v. 10 Cases, etc. (and 7 other seizure actions). (F. D. C. Nos. 11861, 11885, 11972 to 11974, incl., 12018, 12019, 12070. Sample Nos. 50970-F, 57263-F to 57265-F, incl., 76113-F, 76117-F, 76119-F, 76481-F to 76483-F, incl., 77829-F, 77830-F.)**