

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

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 fly eggs and maggots.

Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes since it contained excessive peel and the label failed to bear a statement that the product fell below the standard.

DISPOSITION: January 6, 1953. Default decree of condemnation and destruction.

19990. Adulteration of tomato catsup. U. S. v. 242 Cases * * * (and 4 other seizure actions). (F. D. C. Nos. 33910 to 33914, incl. Sample No. 3739-L.)

LIBELS FILED: October 3, 1952, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about September 12, 1952, by Gibbs & Co., Inc., from Baltimore, Md.

PRODUCT: 394 cases, each containing 24 14-ounce bottles, of tomato catsup at Norfolk, Va.

LABEL, IN PART: (Bottle) "Gibbs 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: On October 29, 1952, Gibbs & Co., Inc., having appeared and filed a petition for consolidation of the libels, an order was entered directing such consolidation. On March 9, 1953, no answer having been filed, judgment of condemnation was entered and the court ordered that the product be destroyed.

19991. Adulteration of tomato juice. U. S. v. 149 Cases * * *. (F. D. C. No. 34279. Sample No. 7962-L.)

LIBEL FILED: December 4, 1952, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 24, 1952, by Growers & Packers Cooperative Canning Co., Inc., from North Collins, N. Y.

PRODUCT: 149 cases, each containing 24 cans, of tomato juice at New Castle, Pa.

LABEL, IN PART: (Can) "Gro-Pak Tomato Juice Contents 1 Qt. 14 Fl. Oz."

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: December 23, 1952. Default decree of condemnation and destruction.

19992. Adulteration of tomato juice. U. S. v. 142 Cartons * * *. (F. D. C. No. 34289. Sample No. 8256-L.)

LIBEL FILED: December 8, 1952, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 24, 1952, by Growers & Packers Cooperative Canning Co., Inc., from North Collins, N. Y.

PRODUCT: 142 cartons, each containing 12 cans, of tomato juice at Pittsburgh, Pa.

LABEL, IN PART: (Can) "1 Qt. 14 Fl. Oz. Pond Lily 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: December 30, 1952. Default decree of condemnation and destruction.

19993. Adulteration of tomato puree. U. S. v. 1,135 Cases * * *. (F. D. C. No. 34059. Sample Nos. 15125-L, 15166-L.)

LIBEL FILED: October 6, 1952, District of Nebraska.

ALLEGED SHIPMENT: On or about February 2, 1951, by the McMahon Sales Co., from Cucamonga, Calif.

PRODUCT: 1,135 cases, each containing 6 No. 10 cans, of tomato puree at Scottsbluff, Nebr.

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: December 23, 1952. The Consumers Cooperative Association, Scottsbluff, Nebr., 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 for segregation of the unfit portion, under the supervision of the Federal Security Agency. As a result of the segregation operations, 101 cases of the product were found unfit and were destroyed.

NUTS AND NUT PRODUCTS*

19994. Adulteration of cashew nuts. U. S. v. 592 Tins * * *. (F. D. C. No. 34145. Sample Nos. 57281-L, 57282-L.)

LIBEL FILED: On or about November 17, 1952, District of Maryland.

ALLEGED SHIPMENT: On or about October 21, 1952, by the Zaloom Bros. Co., from New York, N. Y.

PRODUCT: 592 25-pound tins of cashew nuts at Baltimore, Md.

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 insects, insect parts, webbing, and insect-infested nuts.

DISPOSITION: December 3, 1952. The Zaloom Bros. 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 for segregation and removal of the unfit portion, under the supervision of the Federal Security Agency. 245 pounds of the product were found unfit and were destroyed.

19995. Adulteration of unshelled walnuts. U. S. v. 50 Bags * * *. (F. D. C. No. 34092. Sample No. 2357-L.)

LIBEL FILED: October 29, 1952, Northern District of Georgia.

ALLEGED SHIPMENT: On or about November 26, 1951, from San Francisco, Calif.

PRODUCT: 50 100-pound bags of unshelled walnuts at Atlanta, Ga.

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 insects.

*See also No. 19958.