ALLEGED SHIPMENT: On or about September 16, 1952, by Joe & Katie, Inc., from East Northport, N. Y.

PRODUCT: 22 crates, each containing 24 bags, of sauerkraut at Jersey City, N. J. Examination showed that the product contained sulfur dioxide.

LABEL, IN PART: (Bag) "Katie's * * * Cured In The Wood New Pack Sauerkraut Vacuum Packed Net Wt. One Pound Contains: Sauerkraut, Sauerkraut juice, and 1/10 of 1% Benzoate of Soda."

NATURE OF CHARGE: Misbranding, Section 403 (k), the article contained a chemical preservative, sulfur dioxide, and failed to bear labeling stating that fact.

DISPOSITION: December 12, 1952. Default decree of condemnation and destruction.

TOMATOES AND TOMATO PRODUCTS

19531. Adulteration of canned tomatoes. U. S. v. 96 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 34138, 34139. Sample Nos. 66683-L, 66836-L.)

LIBELS FILED: November 21 and 24, 1952, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 27 and September 9, 1952, by Thomas Roberts & Co., Inc., from Woodside, Del.

PRODUCT: 122 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Philadelphia, Pa.

LABEL, IN PART: (Can) "Co-Rel Brand Tomatoes" or "Pride Of The Farm Brand * * * Tomatoes."

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 fly eggs and maggots, and of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: February 16, 1953. Defaut decrees of condemnation and destruction.

19532. Adulteration of canned tomatoes. U. S. v. 89 Cases * * *. (F. D. C. No. 34215. Sample No. 14584-L.)

LIBEL FILED: November 14, 1952, District of Colorado.

ALLEGED SHIPMENT: On or about September 23, 1952, by the Eddington Canning Co., from Springville, Utah.

PRODUCT: 89 cases, each containing 6 6-pound, 6-ounce cans, of tomatoes at Denver, Colo.

LABEL, IN PART: (Can) "Spring Kist Eddington's Solid Pack Tomatoes."

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

DISPOSITION: January 21, 1953. The Eddington Canning Co., 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 and destruction of the unfit portion, under the supervision of the Federal Security Agency. A total of 6 cases, plus 4 cans, of the product were found unfit and were destroyed.