20176. Adulteration of dried black-eyed peas. U. S. v. 303 Bags * * *. (F. D. C. No. 34679. Sample No. 59148–L.)

LIBEL FILED: On or about February 27, 1953, Southern District of Florida.

ALLEGED SHIPMENT: On or about August 21, 1952, from Cuba.

PRODUCT: 303 100-pound bags of dried black-eyed peas at Seffner, Fla.

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 and insect parts. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 14, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

TOMATOES AND TOMATO PRODUCTS

20177. Adulteration and misbranding of canned tomatoes. U. S. v. 2,043 Cases * * *. (F. D. C. No. 34206. Sample No. 56524–L.)

LIBEL FILED: November 6, 1952, Middle District of Tennessee.

ALLEGED SHIPMENT: On or about September 12 and 22, 1952, by Robbins Bros., from Preston, Md.

PRODUCT: 2,043 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Clarksville, Tenn.

LABEL, IN PART: (Can) "Robbins 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.

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

DISPOSITION: March 26, 1953. Default decree of destruction.

20178. Adulteration of canned tomatoes. U. S. v. 858 Cases * * *. (F. D. C. No. 34267. Sample No. 44177–L.)

LIBEL FILED: December 1, 1952, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about October 11, 1952, by the Galena Canning Co., from Galena, Mo.

PRODUCT: 858 cases, each containing 24 1-pound cans, of tomatoes at Oklahoma City, Okla.

LABEL, IN PART: (Can) "Belle Isle 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; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 16, 1953. The sole intervener having consented to the entry of a decree, judgment of condemnation and destruction was entered. Destruction was effected by feeding the tomatoes to hogs.