

PRODUCT: 53 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Mankato, Minn.

LABEL, IN PART: "Nation's Garden Brand Ripe 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 of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: December 15, 1950. Default decree of condemnation. The court ordered that the product be destroyed, or denatured for use as animal feed under the supervision of the Food and Drug Administration.

16895. Misbranding of canned tomatoes. U. S. v. 1,006 Cases * * *.
(F. D. C. No. 29784. Sample No. 74821-K.)

LIBEL FILED: October 5, 1950, District of Connecticut.

ALLEGED SHIPMENT: On or about August 31, 1950, by the Lively Canning Corp., from Lively, Va.

PRODUCT: 1,006 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Bridgeport, Conn.

LABEL, IN PART: (Can) "Tomato Queen Brand."

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

DISPOSITION: December 15, 1950. The Lively Canning Corp., 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 Food and Drug Administration.

16896. Adulteration of tomato catsup. U. S. v. 89 Cases * * *. (F. D. C. No. 30125. Sample No. 55058-K.)

LIBEL FILED: November 8, 1950, Northern District of Alabama.

ALLEGED SHIPMENT: On or about September 13, 1950, by Sweetsers Packing Co., Inc., from Sweetsers, Ind.

PRODUCT: 89 cases, each containing 24 14-ounce bottles, of tomato catsup at Jasper, Ala.

LABEL, IN PART: "Realm 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: December 13, 1950. Default decree of condemnation and destruction.