CHARGE: 402(a)(3)—contained fly eggs, insects, and insect parts; and 402(a)(4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 2-27-59. $1,000 fine, plus costs.

TOMATOES AND TOMATO PRODUCTS

25615. Canned tomatoes. (F.D.C. No. 42503. S. No. 35-955 P.)

QUANTITY: 351 cases, 24 cans each, at Philadelphia, Pa.

SHIPPED: 9-24-58, from Princess Anne, Md., by King's Creek Canning Co.

LABEL IN PART: (Can) "Harvest Brand Tomatoes Contents 1 Lb. 12 Oz. Distributed by John Price & Co. Philadelphia, Pa."

LIBELED: 11-25-58, E. Dist. Pa.

CHARGE: 403(h)(1)—the quality of the article, when shipped, fell below the standard of quality for canned tomatoes since the drained weight of the contents of the container of the article was less than 50 percent of the weight of the water required to fill the container, and its label failed to bear, as specified by regulations, a statement that it fell below such standard.

DISPOSITION: 1-19-59. Consent—claimed by King's Creek Canning Co., and relabeled.

25616. Canned tomatoes. (F.D.C. No. 42345. S. No. 9-156 P.)

QUANTITY: 748 cases, 24 cans each, at Syracuse, N.Y.

SHIPPED: 9-16-58, from Preston, Md., by Albert W. Sisk & Son.

LABEL IN PART: (Can) "Pine Cone Tomatoes Contents 1 Lb. * * * Albert W. Sisk and Son Distributors - Not Manufacturers."

LIBELED: 10-30-58, N. Dist. N.Y.

CHARGE: 402(a)(3)—contained fly eggs, maggots, and decomposed tomato material when shipped.

DISPOSITION: 1-30-59. Default—destruction.

25617. Pizza sauce. (F.D.C. No. 42359. S. No. 9-671 P.)

QUANTITY: 99 cases, 24 1-lb. 3-oz. cans each, at Buffalo, N.Y.

SHIPPED: 9-25-58, from Vineland, N.J., by Uddo & Taormina Co.

LABEL IN PART: (Can) "Progresso Brand Pizza Sauce * * * Packed By Uddo & Taormina Co. Vineland, New Jersey."

LIBELED: 11-13-58, W. Dist. N.Y.

CHARGE: 402(a)(3)—contained fly eggs and maggots when shipped.

DISPOSITION: 12-18-58. Default—destruction.

25618. Pizza sauce. (F.D.C. No. 42283. S. No. 35-963 P.)

QUANTITY: 10 cases, 6 6-lb. 9-oz. cans each, at Trenton, N.J.

SHIPPED: 10-7-58, from Bristol, Pa., by Delaware Valley Packing Co.

LABEL IN PART: (Can) "Capri Brand Pizza Sauce * * * Packed * * * for Clark Mfg. Co."

LIBELED: 11-19-58, Dist. N.J.

CHARGE: 402(a)(3)—contained fly eggs and maggots when shipped.

DISPOSITION: 12-19-58. Default—destruction.