889. Adulteration of tomato catsup, tomato juice, and tomato puree. U. S. v. 575 Cases of Tomato Catsup (and 6 other seizure actions against tomato products). Decrees of condemnation and destruction. (F. D. C. Nos. 1787, 1891, 1908, 2208, 2209, 2240, 2241. Sample Nos. 13149–E, 13151–E, 13153–E, 13209–E, 13210–E, 13247–E to 13251–E, incl., 13253–E, 13401–E, 16025–E, 26001–E, 26003–E, 26005–E.)

These products contained decomposed material as evidenced by the presence of excessive mold.

Between April 10 and June 24, 1940, the United States attorneys for the Western District of Oklahoma, the District of Idaho, and the District of Oregon filed libels against 575 cases of catsup at Oklahoma City, Okla.; 61 cases of tomato juice and 42 cases of tomato puree at Lewiston, Idaho; 116 cases of tomato juice at Medford, Oreg.; 672 cases of tomato juice and 58 cases of tomato puree at Astoria, Oreg.; and 280 cases of tomato juice and 75 cases of tomato puree at Klamath Falls, Oreg., alleging that the articles had been shipped in interstate commerce within the period from on or about October 8 to on or about December 30, 1939, by the Royal Canning Corporation from Ogden, Utah; and charging that they were adulterated. The catsup was labeled in part: "Little Boy Blue Catsup * * * Distributed by Royal Canning Corporation." The remaining products were labeled in part: "Meco Brand Tomato Puree [or "Royal Club Tomato Juice" or "Royal Club Fancy Tomato Puree"] Packed for Mason Ehrman and Co. * * * Portland, Oregon"; or "Iga Tomato Juice * * * Packed for Independent Grocers' Alliance Distributing Company."

The articles were alleged to be adulterated in that they consisted in whole or in part of decomposed substances.

On June 6, June 22, and August 26, 1940, no claimant having appeared for the various lots of tomato puree and tomato juice, judgments of condemnation were entered and the said products were ordered destroyed. On September 26, 1940, the Royal Canning Corporation having appeared as claimant in the action involving the catsup and having filed an amended answer admitting the allegations of the libel, judgment of condemnation was entered and the catsup was also ordered destroyed.

890. Adulteration of tomato catsup and tomato puree. U. S. v. 67 Cases of Tomato Catsup and 50 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. Nos. 1633, 1634. Sample Nos. 97239–D, 97240–D.)

Both products contained excessive mold indicating the presence of decomposed material. The catsup also contained fragments of insect larvae and other filth resulting from insect infestation.

On March 16, 1940, the United States attorney for the District of Nebraska filed a libel against 67 cases of tomato catsup and 50 cases of tomato puree at Scottsbluff, Nebr., alleging that the articles had been shipped in interstate commerce on or about October 7, 1939, from Delta, Colo., by the Delta Canning Co.; and charging that they were adulterated. The articles were labeled in part: "Town Talk No. 10 Special Hotel Pack Tomato Catsup [or "Tomato Puree"] * * * Packed for the Stone-Hall Co. Denver, Colo."

Both products were alleged to be adulterated in that they consisted wholly or in part of decomposed substances. The catsup was alleged to be adulterated further in that it consisted wholly or in part of a filthy substance.

On June 10, 1940, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

891. Adulteration of tomato juice. U. S. v. 23 Cases of Tomato Juice. Default decree of condemnation and destruction. (F. D. C. No. 1896. Sample No. 13713–E.)

Examination of this product showed that it contained excessive mold.

On April 29, 1940, the United States attorney for the Western District of Washington filed a libel against 23 cases of tomato juice at Everett, Wash., alleging that the article had been shipped in interstate commerce on or about March 21, 1940, by James A. Shealy; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: (Cans) "Westgift Tomato Juice * * * California Tomato Juice Inc. Merced Calif."

On September 11, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.