17139. Misbranding of canned tomatoes. U. S. v. 650 Cases * * *. (F. D. C. No. 29949. Sample No. 70494-K.)

LIBEL FILED: October 24, 1950, Southern District of Indiana.

ALLEGED SHIPMENT: On or about October 10, 1950, from Kansas City, Kans. This was a return shipment.

PRODUCT: 650 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Union City, Ind.

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

DISPOSITION: January 10, 1951. The Jaqua Canning Co., Ansonia, Ohio, claimant and canner of the tomatoes, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Food and Drug Administration.

17140. Adulteration of tomato catsup. U. S. v. 698 Cases * * *. (F. D. C. No. 30165. Sample No. 91118-K.)

LIBEL FILED: November 24, 1950, District of Minnesota.

ALLEGED SHIPMENT: On or about October 2, 1950, by Columbia Conserve Co., Inc., from Indianapolis, Ind.

PRODUCT: 698 cases, each containing 24 14-ounce bottles, of tomato catsup at St. Paul, Minn.

LABEL, IN PART: "Fairway * * * 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: March 28, 1951. Consent decree of condemnation. The court ordered that the product be destroyed unless denatured and disposed of for use as animal feed.

17141. Adulteration of tomato puree. U. S. v. Cedar Lake Canning Co., Inc., and Arthur C. Mead, Jr. Pleas of guilty. Corporation fined $250 and placed on probation for 3 years; individual defendant fined $250 and placed on probation for 2 years. (F. D. C. No. 26799. Sample Nos. 47988-K, 48077-K, 48078-K.)

INFORMATION FILED: June 1949, District of New Jersey, against Cedar Lake Canning Co., Inc., Cedarville, N. J., and Arthur C. Mead, Jr., secretary-treasurer of the corporation.

ALLEGED SHIPMENT: On or about September 16 and 17, 1948, from the State of New Jersey into the State of Pennsylvania.

LABEL, IN PART: "Cedar Lake Tomato Puree Contents 1 Lb. 12 Oz. Packed By Cedar Lake Canning Co., Inc. Cedarville, New Jersey."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of fly eggs, and of a decomposed substance by reason of the presence of decomposed tomato material.