

TOMATOES AND TOMATO PRODUCTS

20534. Adulteration of canned tomatoes. U. S. v. 392 Cases * * *. (F. D. C. No. 34152. Sample No. 66683-L.)

LIBEL FILED: November 24, 1952, Eastern District of New York.

ALLEGED SHIPMENT: On or about September 9, 1952, by Thomas Roberts & Co., from Woodside, Del., to Philadelphia, Pa., and from there to Jamaica, N. Y., on or about October 28, 1952.

PRODUCT: 392 cases, each containing 24 cans, of tomatoes at Jamaica, N. Y.

LABEL, IN PART: (Can) "Pride Of The Farm Brand Contents 1 Lb. 3 Oz. 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, and of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: October 21, 1953. Default decree of condemnation and destruction.

20535. Misbranding of canned tomatoes. U. S. v. 106 Cases, etc. (F. D. C. No. 34973. Sample No. 59269-L.)

LIBEL FILED: April 24, 1953, Western District of North Carolina.

ALLEGED SHIPMENT: On or about November 20, 1952, by Thomas Roberts & Co., from Philadelphia, Pa.

PRODUCT: 255 cases, each containing 24 cans, of tomatoes at Morganton, N. C.

LABEL, IN PART: (Can) "Dill's 'Best' Tomatoes Contents 1 Lb."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "'Best' Tomatoes" was false and misleading as applied to tomatoes which were substandard in quality.

Further misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes with respect to the strength and redness of color of the tomatoes, and the label failed to bear a statement that the article fell below the standard.

DISPOSITION: June 5, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution for its use.

20536. Adulteration of tomato paste. U. S. v. 8,000 Cans * * *. (F. D. C. No. 34970. Sample No. 73064-L.)

LIBEL FILED: April 22, 1953, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: The product was imported from a foreign country on an unknown date.

PRODUCT: 8,000 cans of tomato paste at Philadelphia, Pa.

LABEL, IN PART: (Can) "Aureol Suritett Paradicsom * * * High Concentrated Hungarian Tomato Paste Contents 14½ Oz. Net Hungarian Product."

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: July 9, 1953. Default decree of condemnation and destruction.