

13848. Adulteration of tomato catsup. U. S. v. Fettig Canning Corp. Plea of guilty. Fine, \$500. (F. D. C. No. 25297. Sample Nos. 14526-K, 15032-K, 15035-K, 19253-K, 24075-K, 24602-K, 24944-K, 25080-K.)

INFORMATION FILED: August 25, 1948, Southern District of Indiana, against the Fettig Canning Corp., Elwood, Ind.

ALLEGED SHIPMENT: On or about September 10, October 9 and 15, and December 30, 1947, and January 21, 22, and 27, and February 3, 1948, from the State of Indiana into the States of Michigan, Illinois, Wisconsin, and Ohio.

LABEL, IN PART: "Mary's Choice [or "Vine-Ripe"] Tomato Catsup Packed by Fettig Canning Corp.," "Schultz's Tomato Catsup \* \* \* Packed for Schultz Brothers Co. Sheboygan, Wis." or "Serv-well \* \* \* Tomato Catsup Packed for Twin City Wholesale Grocer Co. St. Paul, Minn. Fargo, N. D."

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

DISPOSITION: November 5, 1948. A plea of guilty having been entered, the defendant was fined \$500.

13849. Misbranding of tomato catsup. U. S. v. 33 Cases \* \* \*. (F. D. C. No. 25392. Sample No. 36278-K.)

LIBEL FILED: On or about September 13, 1948, District of Montana.

ALLEGED SHIPMENT: On or about February 26, 1948, by the California Packing Corp., Evona, Utah.

PRODUCT: 33 cases, each containing 6 7-pound, 12-ounce cans, of tomato catsup at Miles City, Mont.

LABEL, IN PART: "Utah's Favorite Brand Tomato Catsup Net Contents 7 Lbs. 12 Ozs., Distributed By Woods Cross Canning Company, Evona, Utah."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the cans contained less than the labeled "7 lbs. 12 ozs."

DISPOSITION: October 11, 1948. The Woods Cross Canning Co., claimant, having admitted the allegations in the libel, judgment was entered ordering the product released under bond for relabeling, under the supervision of the Food and Drug Administration.

13850. Misbranding of tomato catsup. U. S. v. 37 Cases \* \* \*. (F. D. C. No. 25031. Sample No. 36267-K.)

LIBEL FILED: On or about July 20, 1948, District of Montana.

ALLEGED SHIPMENT: On or about June 16, 1948, from Evona, Utah.

PRODUCT: 37 cases, each containing 6 cans, of tomato catsup at Billings, Mont.

LABEL, IN PART: "Utah's Favorite Brand Tomato Catsup, Net Contents 7 lbs. 12 ozs. Distributed By Woods Cross Canning Company, Clearfield, Utah."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (The article was short-weight.)

DISPOSITION: October 11, 1948. The Woods Cross Canning Co., claimant, having admitted the allegations of the libel, judgment was entered providing for the release of the product under bond for relabeling, under the supervision of the Food and Drug Administration.