DISPOSITION: April 17, 1947, and January 8 and 29, 1948. Edgar W. Wrightson of Albert W. Sisk & Son, representing Leonard A. Simmons, the owner of the merchandise, having appeared as claimant for the Pennsylvania lot and consented to the entry of a decree, and no claimants having appeared for the other lots, judgments of condemnation were entered. The Montana lot was ordered delivered for the use of a State institution; the Ohio lot was ordered destroyed; and the Pennsylvania lot was ordered released under bond for the segregation of the unfit portion, under the supervision of the Federal Security Agency. Of the 1,999 cases seized at Philadelphia, Pa., 111⅙ cases were segregated as unfit and were subsequently destroyed.

13668. Misbranding of canned tomatoes. U. S. v. 219 Cases * * *. (F. D. C. No. 24761. Sample No. 15159–K.)

LIBEL FILED: May 7, 1948, Western District of Michigan.

ALLEGED SHIPMENT: On or about September 11 and 13, 1947, by A. W. Sisk & Son, from Pocomoke City, Md.

PRODUCT: 219 cases, each containing 24 1-pound, 12-ounce cans, of tomatoes at Grand Rapids, Mich.

LABEL, IN PART: "Somerset Brand Tomatoes * * * Packed by Somerset Packing Co., Inc., Pocomoke City, Maryland."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard for canned tomatoes because of the low drained weight, as determined by the sieve test set forth in the standard, and since it contained excessive tomato peel; and the label failed to bear the statement that the product was below standard.

DISPOSITION: August 6, 1948. The Somerset Packing Co., Inc., claimant, having admitted the allegations in the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

13669. Misbranding of canned tomatoes. U. S. v. 245 Cases * * *. (F. D. C. No. 23685. Sample No. 76665–H.)

LIBEL FILED: September 11, 1947, Western District of Louisiana.

ALLEGED SHIPMENT: On or about June 19 and July 22, 1947, by Quality Products, Inc., La Feria, Tex.

PRODUCT: 245 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Shreveport, La.

LABEL, IN PART: "Curtis Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes since it failed to meet the requirements for color, since peel per pound of canned tomatoes in the container covered an area of more than 1 square inch, and since it failed to bear the statement that it fell below the standard.

DISPOSITION: October 27, 1947. Default decree of condemnation. The product was ordered delivered to a charitable institution.

13670. Misbranding of canned tomatoes. U. S. v. 145 Cases * * *. (F. D. C. No. 23717. Sample No. 94151–H.)

LIBEL FILED: On or about September 22, 1947, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about August 16, 1947, by the Rogers Canning Co., from Rogers, Ark.

PRODUCT: 145 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at St. Louis, Mo.

LABEL, IN PART: "Red Raven Hand Packed Tomatoes * * * Distributed By Canners Exchange, Inc. Springfield, Mo."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes because of the low drained weight, as determined by the sieve test set forth in the standard, and it failed to bear the substandard legend.

DISPOSITION: November 10, 1947. The Rogers Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be sorted and relabeled under the supervision of the Food and Drug Administration.