14655. Misbranding of tomato puree. U. S. v. 699 Cases * * *. (F. D. C. No. 25238. Sample No. 23238–K.)

LIBEL FILED: August 4, 1948, Western District of Louisiana.

ALLEGED SHIPMENT: On or about July 6, 1948, by the Taormina Co., from Donna, Tex.

PRODUCT: 699 cases, each containing 100 4¾-ounce cans, of tomato puree at Church Point, La.

LABEL, IN PART: "Buffalo Brand Tomato Puree."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product was represented as tomato puree, and it failed to conform to the definition and standard of identity since it contained less than 8.37 percent of salt-free tomato solids.

DISPOSITION: February 5, 1949. The Taormina Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the substandard puree be segregated under the supervision of the Federal Security Agency and delivered to charitable institutions. Of the 661 cases seized, 438 were segregated as substandard and delivered to various charitable institutions.

14656. Adulteration and misbranding of tomato sauce. U. S. v. 208 Cases * * *. (F. D. C. No. 26147. Sample No. 23529–K.)

LIBEL FILED: On or about December 22, 1948, Western District of Louisiana.

ALLEGED SHIPMENT: On or about September 17, 1948, by R. Raspanti & Sons, Crystal Springs, Miss.

PRODUCT: 208 cases, each containing 100 4¾-ounce cans, of tomato sauce at Shreveport, La.

LABEL, IN PART: "Baby Brand Tomato Sauce * * * Packed by Crystal Springs Canning Co. Crystal Springs, Miss."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an unconcentrated or a slightly concentrated comminuted tomato liquid with added salt and a small amount of spices had been substituted in whole or in part for tomato sauce, an article understood to be a comminuted tomato product, which is more concentrated than this product.

Misbranding, Section 403 (a), the label statement "Tomato Sauce" was false and misleading as applied to an unconcentrated or slightly concentrated comminuted tomato liquid with added salt and a small amount of spices; and, Section 403 (g) (1), the product was represented on the invoice to be tomato puree, a food for which a definition and standard of identity had been prescribed by the regulations, and it failed to conform to such definition and standard since it contained less than 8.37 percent of salt-free tomato solids.

DISPOSITION: February 21, 1949. Default decree of condemnation. The product was ordered delivered to a charitable institution.

14657. Adulteration and misbranding of tomato sauce. U. S. v. 24 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 26467, 26468. Sample Nos. 53096–K, 53100–K.)

LIBELS FILED: January 14, 1949, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about October 9 and December 2, 1948, by the Russell Co., from Jackson and Natchez, Miss.

PRODUCT: Tomato sauce. 24 cases at Covington, La., and 41 cases at Franklinton, La. Each case contained 100 5¾-ounce cans.