

short-weight; and, Section 403 (e) (2), the product was in package form and its label failed to bear an accurate statement of the quantity of the contents.

DISPOSITION: October 9, 1944. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$10 was imposed.

8054. Adulteration of fried shoestring potatoes. U. S. v. The Spudette Co. Plea of nolo contendere. Fine, \$100. (F. D. C. No. 12620. Sample Nos. 70632-F, 70634-F.)

INFORMATION FILED: January 12, 1945, Northern District of California, against the Spudette Co., a partnership, San Francisco, Calif.

ALLEGED SHIPMENT: On or about February 12, 1944, from the State of California into the State of Washington.

LABEL, IN PART: "Spudette Shoestring Potatoes."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of whole insects, insect fragments, insect-tunnelled potatoes, and insect excreta pellets; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 9, 1945. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$100.

8055. Adulteration of sweet relish. U. S. v. 47 Cases and 8¼ Cases of Sweet Relish. Default decree of condemnation and destruction. (F. D. C. No. 13969. Sample Nos. 80131-F, 80793-F.)

LABEL FILED: October 20, 1944, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about July 24, 1944, by the Kokomo Packing Co., from Kokomo, Ind.

PRODUCT: 47 cases, each containing 12 24-ounce jars, and 8¼ cases, each containing 24 16-ounce jars, of sweet relish at Champaign, Ill.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance as evidenced by mold.

DISPOSITION: February 1, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

TOMATOES AND TOMATO PRODUCTS*

8056. Adulteration of tomato juice. U. S. v. 766 Cases of Tomato Juice. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 12850. Sample No. 61566-F.)

LABEL FILED: July 3, 1944, Western District of Texas.

ALLEGED SHIPMENT: On or about February 7, 1944, by the National Fruit Products, Inc., from Olive, Calif.

PRODUCT: 766 cases, each containing 12 cans, of tomato juice at Austin, Tex.

LABEL, IN PART: (Cans) "Contents 1 Qt. 14 Fl. Oz. Del Haven Brand Tomato Juice Seasoned with Salt Packed for Federated Foods Inc. San Francisco, Calif. Chicago, Ill."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: December 18, 1944. The John Bremond Co., Austin, Tex., having appeared as claimant and consented to the entry of the decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the good portion be separated from the bad, and that both portions be disposed of in compliance with the law, under the supervision of the Food and Drug Administration.

8057. Misbranding of fresh tomatoes. U. S. v. Otto J. Krause and Fred Scherzer (Midland Produce Co.). Plea of nolo contendere. Fine, \$250. (F. D. C. No. 14275. Sample Nos. 58278-F, 69255-F, 69413-F.)

INFORMATION FILED: May 9, 1945, District of Colorado, against Otto J. Krause and Fred Scherzer, trading as the Midland Produce Co., a partnership, at Denver, Colo.

ALLEGED SHIPMENT: On or about June 9 and 27 and May 24, 1944, from the State of Colorado into the States of Wyoming and Kansas.

*See also No. 8046.