

On September 5, 1940, answer having been filed by the claimant and the time for filing answer having expired, judgment of condemnation was entered and the product was ordered destroyed.

**881. Adulteration of tomato catsup. U. S. v. Frazier Packing Corporation. Plea of guilty. Fine, \$250.** (F. D. C. No. 2095. Sample Nos. 48254-D, 66737-D, 66738-D, 67098-D, 72034-D, 72935-D, 75916-D, 6431-E.)

This product contained excessive mold, indicating the presence of decomposed material.

On August 15, 1940, the United States attorney for the Southern District of Indiana filed an information against the Frazier Packing Corporation, Elwood, Ind., alleging shipment by said company within the period from on or about August 24, 1939, to on or about January 24, 1940, from the State of Indiana into the States of Oklahoma, Kansas, Michigan, Kentucky, and Colorado of 7 consignments of tomato catsup which was adulterated. The article was labeled in part: "Frazier's Tomato Catsup \* \* \* Prepared by Frazier Packing Corp."; "Dreher's Tomato Catsup \* \* \* Packed for The Dreher Pickle Co., Fort Collins, Colo."; "White Birch Brand Catsup \* \* \* Carpenter Cook Co., Menominee, Mich."; "Brimful Brand Tomato Catsup \* \* \* H. A. Marr Grocery Co. Distributors."

The article was alleged to be adulterated in that it consisted in whole and in part of a decomposed substance. The information also charged that the defendant had made two other shipments of tomato catsup which was adulterated in violation of the Food and Drugs Act of 1906, as reported in notice of judgment No. 31089 published under that act.

On September 26, 1940, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$250 for violation of both acts.

Nos. 882-885, inclusive, report the seizure and disposition of tomato catsup that contained excessive mold, indicating the presence of decomposed material.

**882. Adulteration of tomato catsup. U. S. v. 81 Cases of Tomato Catsup. Default decree of condemnation and destruction.** (F. D. C. No. 2045. Sample No. 568-E.)

On or about June 3, 1940, the United States attorney for the Northern District of Georgia filed a libel against 81 cases of tomato catsup at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about January 18, 1940, by F. M. Ball & Co. from Oakland, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: (Cans) "All Good Brand Tomato Catsup."

On July 22, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**883. Adulteration of tomato catsup. U. S. v. 95 Cases of Tomato Catsup. Default decree of condemnation and destruction.** (F. D. C. No. 1486. Sample No. 67142-D.)

On February 17, 1940, the United States attorney for the District of Kansas filed a libel against 95 cases of tomato catsup at Dodge City, Kans., alleging that the article had been shipped in interstate commerce on or about November 4, 1939, by the Box Elder Packing Corporation from Brigham City, Utah; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: "La Vora Brand \* \* \* Distributed by Smith Canning Company, Clearfield, Utah."

On May 13, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

**884. Adulteration of tomato catsup. U. S. v. 182 Cases of Tomato Catsup. Default decree of condemnation and destruction.** (F. D. C. No. 2047. Sample No. 13166-E.)

On or about June 3, 1940, the United States attorney for the Eastern District of Washington filed a libel against 182 cases of tomato catsup at Walla Walla, Wash., alleging that the article had been shipped in interstate commerce on or about March 3, 1940, by Seiter's, Inc., from Post Falls, Idaho; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: (Bottles) "Pheasant Brand Tomato Catsup Distributed by Wadhams and Company Portland, Oregon."

On July 23, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.