

**896. Adulteration of tomato puree. U. S. v. The Beckman & Gast Canning Co.**  
**Plea of nolo contendere. Judgment of guilty. Fine, \$100 and costs.**  
**Payment of fine and costs suspended.** (F. D. C. No. 946. Sample No.  
 80508-D.)

On April 1, 1940, the United States attorney for the Northern District of Ohio filed an information against the Beckman & Gast Canning Co., a corporation, St. Henry, Ohio, alleging shipment on or about October 21, 1939, from the State of Ohio into the State of Kentucky, of a quantity of tomato puree which was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Dew Kissed Brand Tomato Puree."

On June 6, 1940, a plea of nolo contendere having been entered, the court found the defendant guilty and imposed a sentence of \$100 fine with costs, but suspended payment thereof.

**897. Adulteration of tomato puree. U. S. v. 17 Cases of Tomato Puree. Default decree of condemnation and destruction.** (F. D. C. No. 1186. Sample No. 80508-D.)

On December 14, 1939, the United States attorney for the Eastern District of Kentucky filed a libel against 17 cases of tomato puree at Covington, Ky., alleging that the article had been shipped in interstate commerce on or about October 21, 1939, by the Beckman & Gast Canning Co. from St. Henry, Ohio; 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) "Dew Kissed Brand, Tomato Puree."

On January 11, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**898. Adulteration of tomato puree. U. S. v. 75 Cases of Tomato Puree. Consent decree of condemnation and destruction.** (F. D. C. No. 1919. Sample No. 99748-D.)

On or about May 4, 1940, the United States attorney for the District of Nebraska filed a libel against 75 cases of tomato puree at Lincoln, Nebr., alleging that the article had been shipped in interstate commerce on or about October 14, 1939, by the Kaysville Canning Corporation from Barnes, 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: "Kaysville Brand Tomato Puree."

On June 7, 1940, the claimant, Grainger Bros. Co., having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered destroyed.

**899. Adulteration of tomato puree. U. S. v. 360 Cases and 90 Cases of Tomato Puree. Default decree of condemnation and destruction.** (F. D. C. No. 1832. Sample Nos. 16041-E, 16042-E, 16720-E, 16721-E.)

On April 30, 1940, the United States attorney for the Western District of Missouri filed a libel against 450 cases of tomato puree at Kansas City, Mo., alleging that the article had been shipped on or about January 27 and January 30, 1940, by the Smith Canning Co. from Clearfield, 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: "Smith Brand Puree \* \* \* Distributed by Smith Canning Co., Clearfield, Utah"; or "Lee Extra Heavy Tomato Puree Distributors the H. D. Lee Mercantile Co., Kansas City, Mo."

On June 28, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**900. Adulteration of tomato sauce. U. S. v. 24 Cases of Tomato Sauce. Default decree of condemnation and destruction.** (F. D. C. No. 1670. Sample No. 92345-D.)

On March 21, 1940, the United States attorney for the Western District of Washington filed a libel against 24 cases of tomato sauce at Port Angeles, Wash., alleging that the article had been shipped in interstate commerce on or about February 29, 1940, by the American Wholesale Grocery from San Francisco, 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) "Fargo Brand Spanish Style Tomato Sauce Packed for Food Products Co. of America, Chicago, Ill."

On September 11, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.