

or in part of a filthy substance. The article was labeled in part: "Gulf's Best Brand Turnip Greens."

On August 27, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

2246. Adulteration of canned turnip tops with diced roots. U. S. v. 19 Cases of Turnip Tops with Diced Roots. Default decree of condemnation and destruction. (F. D. C. No. 4938. Sample No. 49099-E.)

The turnip tops in this product were infested with aphids.

On June 16, 1941, the United States attorney for the Southern District of Alabama filed a libel against 19 cases, each containing 24 No. 2 cans, of turnips and turnip tops at Mobile, Ala., alleging that the article had been shipped in interstate commerce on or about February 23, 1941, from St. Martinville, La., by Evangeline Pepper & Food Products; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: "Bulliard's Evangeline Brand Turnip Tops with Diced Roots."

On September 29, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

TOMATO PRODUCTS

Nos. 2247 to 2250 report actions based on interstate shipment of tomato products that contained decomposed material, as evidenced by the presence of excessive mold.

2247. Adulteration of tomato puree and tomato catsup. U. S. v. Perry Canning Co. Plea of guilty. Fine, \$34. (F. D. C. No. 2917. Sample Nos. 6011-E, 6526-E, 6810-E, 70979-D, 97247-D, 97312-D, 97365-D, 97367-D to 97370-D, incl.)

On August 9, 1941, the United States attorney for the District of Utah filed an information against the Perry Canning Co., a corporation, Perry, Utah, alleging that within the period from on or about August 4, 1939, to February 16, 1940, the defendant delivered for introduction in interstate commerce into the States of Idaho and Wyoming quantities of tomato catsup that was adulterated, and that on or about May 18, 1940, the defendant introduced and delivered for introduction in interstate commerce a quantity of tomato puree that was adulterated. The articles were labeled in part: "Dreher's Tomato Purée * * * Packed for The Dreher Pickle Company Denver Colorado * * * 6 lbs. 8 cz."; "Gateway Brand Net Weight 1 Lb. 14 Oz. Tomato Catsup"; "Olson's Royal Brand * * * 1 Lb. 14 Oz. Tomato Catsup H. D. Olson and Son * * * Ogden Utah"; or "Nation's Garden Brand Tomato Catsup * * * 6 Lbs. 12 Oz. Packed for Fine Foods Inc. Seattle Minneapolis."

The tomato puree and a portion of the tomato catsup were alleged to be adulterated in that they consisted in whole or in part of decomposed substances; the remainder of the tomato catsup was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed substance.

On August 9, 1941, a plea of guilty was entered on behalf of the defendant, and the court imposed a fine of \$25 on the first count and \$1 on each additional count, totaling \$34.

2248. Adulteration of tomato puree. U. S. v. 15 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 5150. Sample No. 5375-E.)

On July 15, 1941, the United States attorney for the Eastern District of Tennessee filed a libel against 15 cases, each containing 24 No. 2 cans, of tomato puree at Jellico, Tenn., alleging that the article had been shipped in interstate commerce on or about September 16 and October 12, 1940, by Morgan Packing Co. from Austin, Ind.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: (Cans) "Scott Co. Brand Tomato Puree."

On August 16, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2249. Adulteration of tomato paste. U. S. v. 197 Cartons and 204 Cartons of Tomato Paste. Default decrees of condemnation and destruction. (F. D. C. Nos. 3451, 3452. Sample Nos. 19965-E, 19969-E.)

On December 2, 1940, the United States attorney for the Western District of Pennsylvania filed libels against 401 cartons, each containing 10 cans, of tomato paste at Bradford, Pa., alleging that the article had been shipped in interstate commerce within the period from on or about September 16 to on or about October 2, 1940, by the Helen Packing Corporation from North Collins, N. Y.; and charging that it was adulterated in that it consisted in whole or in