

4641. Adulteration of canned pumpkin. U. S. v. 238 Cases and 124 Cases of Canned Pumpkin. Default decree of condemnation and destruction. (F. D. C. Nos. 9742, 9743. Sample Nos. 37944-F, 37945-F.)

On April 3, 1943, the United States attorney for the Northern District of Illinois filed a libel against 362 cases, each containing 24 cans, of pumpkin at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 27 and February 26, 1943, by the Morgan Packing Co. from Austin, Ind.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Royal Gem Pumpkin * * * Packed By Scottsburg Canning Co. Scottsburg, Indiana," or "Oco Brand Packed By Austin Canning Co., Austin, Ind."

On May 11, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

TOMATOES AND TOMATO PRODUCTS

4642. Adulteration of tomatoes. U. S. v. 832 Cases of Tomatoes. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of the unfit portion. (F. D. C. No. 8373. Sample No. 4413-F.)

This product was in whole or in part underprocessed and undergoing progressive decomposition.

On September 16, 1942, the United States attorney for the Middle District of Tennessee filed a libel against 832 cases, each case containing 24 cans, of tomatoes at Nashville, Tenn., alleging that the article had been shipped in interstate commerce on or about July 30, 1942, by the Mason Canning Co. from Pocomoke City, Md.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

The article was labeled in part: (Cans) "Iona Tomatoes * * * Standard Quality Grade C The Great Atlantic & Pacific Tea Co., New York, N. Y., Distributors."

On October 13, 1942, the Mason Canning Co., claimant, having admitted that a portion of the product was decomposed, judgment was entered (amended April 13, 1943) condemning the product and ordering it released under bond for segregation of the fit from the unfit portion and destruction of the latter under the supervision of the Food and Drug Administration.

4643. Adulteration of canned tomatoes. U. S. v. 997 Cases of Canned Tomatoes (and 3 additional seizure actions against canned tomatoes). Consent decree of condemnation. Product ordered released under bond for segregation of fit from unfit. (F. D. C. Nos. 8690 to 8694, incl. Sample Nos. 24257-F to 24259-F, incl.)

This product was in part decomposed.

On November 6, 1942, the United States attorney for the Southern District of West Virginia filed libels against a total of 2,348 cases, each containing 24 cans, of tomatoes at Charleston, W. V., alleging that the article had been shipped in interstate commerce within the period from on or about August 21 to September 1, 1942, by C. G. Reaburn & Co., from Moneta, Va.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Can) "Davis Mill Brand Tomatoes Hand Packed * * * Dinwiddie Canning Co. Moneta, Virginia."

On January 12, 1943, B. W. Dinwiddie, trading as the Dinwiddie Canning Co., having appeared as claimant, judgments of condemnation were entered and the product was ordered released under bond for segregation of the fit portion from the unfit portion under the supervision of the Food and Drug Administration. The unfit portion was destroyed.

4644. Adulteration of canned tomatoes. U. S. v. 159 Cases and 83 Cases of Canned Tomatoes. Default decree of condemnation and destruction. (F. D. C. Nos. 8593, 8630. Sample Nos. 24062-F, 28727-F.)

This product contained maggots.

On October 24 and 29, 1942, the United States attorneys for the Eastern and Middle Districts of North Carolina filed libels against 159 cases, each case containing 24 cans, of tomatoes at Zebulon, and 83 cases at Greensboro, N. C., alleging that the article had been shipped in interstate commerce on or about August 31 and September 1, 1942, by the American Brokerage Co. from Roanoke, Va.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled