

Section 403 (g) (1), the product failed to conform to the definition and standard for tomato puree since it contained less than 8.37 percent of salt-free tomato solids.

**DISPOSITION:** April 17, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8962. Adulteration and misbranding of tomato puree. U. S. v. 42 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 15426. Sample No. 26011-H.)**

**LABEL FILED:** February 27, 1945, District of New Mexico.

**ALLEGED SHIPMENT:** On or about February 8, 1944, by the Taormina Corporation, from Donna, Tex.

**PRODUCT:** 42 cases, each containing 100 cans, of tomato puree at Clovis, N. Mex.

**LABEL, IN PART:** "Buffalo Brand Tomato Puree \* \* \* Color Added Net Weight 4 $\frac{3}{4}$  Oz."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

Misbranding, Section 403 (g) (1), it purported to be and was represented as tomato puree, but it failed to conform to the definition and standard for that product since it contained less than 8.37 percent of salt-free tomato solids and since it contained added artificial color which is not provided for in the standard.

**DISPOSITION:** March 27, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8963. Adulteration of tomato puree. U. S. v. 4,981 Cases and 2,000 Cases of Tomato Puree. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 12631, 12728. Sample Nos. 77886-F, 77888-F.)**

**LABELS FILED:** June 7 and 23, 1944, District of New Jersey.

**ALLEGED SHIPMENT:** Between the approximate dates of May 2 and 9, 1944, by the Sardik Food Products Co., from Lockport, N. Y.

**PRODUCT:** 6,981 cases, each containing 6 8-ounce cans, of tomato puree at Vineland, N. J.

**LABEL, IN PART:** (Portion) "Silver Lake Brand Tomato Puree \* \* \* Packed in U. S. A. by Wm. Laning and Son Co. Bridgeton \* \* \* N. J."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

**DISPOSITION:** April 2, 1945. Wm. Laning and Son Co. having appeared as claimant, judgments of condemnation were entered and the product was ordered released under bond, conditioned that the unfit portion be destroyed or denatured. The product in both shipments was converted into duck feed.

**8964. Adulteration of tomato puree. U. S. v. 336 Cases and 496 Cases of Tomato Puree. Default decrees of condemnation and destruction. (F. D. C. Nos. 15272, 15733. Sample Nos. 2225-H, 2256-H.)**

**LABELS FILED:** February 14 and March 26, 1945, Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about November 21 and December 13, 1944, by A. W. Sisk and Son, from Hynson, Md.

**PRODUCT:** 832 cases, each containing 6 cans, of tomato puree at Norfolk, Va.

**LABEL, IN PART:** (Cans) "Bulow Tomato Puree Bulow Quality Products Contents 6 Lbs. 9 Oz. Packed in U. S. A. By Leon C. Bulow Bridgeville, Del."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** April 25, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**8965. Adulteration of tomato puree. U. S. v. 100 Cases and 149 Cases of Tomato Puree. Default decrees of condemnation and destruction. (F. D. C. Nos. 15451, 15601. Sample Nos. 22120-H, 22123-H.)**

**LABELS FILED:** February 28 and March 8, 1945, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about February 2, 1945, by John S. Mitchell, Inc., from Sharpsville, Ind.

**PRODUCT:** 249 cases, each containing 48 10-ounce cans, of tomato puree at St. Louis, Mo.