

**9976. Misbranding of canned tomato puree. U. S. v. 43 Cases of Tomato Puree. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 20081. Sample No. 35726-H.)**

**LIBEL FILED:** June 10, 1946, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about November 14, 1945, by the Sun Garden Packing Co., from San Jose, Calif.

**PRODUCT:** 43 cases, each containing 24 cans, of tomato puree at St. Louis, Mo. Examination showed that the product was short-weight.

**LABEL, IN PART:** "Blue Bow Tomato Puree Contents 1 Lb. 12 Oz."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** July 8, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

**9977. Adulteration of tomato sauce. U. S. v. 497 Cases of Tomato Sauce. Default decree of condemnation and destruction. (F. D. C. No. 20068. Sample No. 46304-H.)**

**LIBEL FILED:** June 7, 1946, District of Nevada.

**ALLEGED SHIPMENT:** On or about April 16 and 18, 1946, by Hunt Foods, Inc., from Hayward, Calif.

**PRODUCT:** 497 cases, each containing 72 8-ounce cans, of tomato paste at Reno, Nev.

**LABEL, IN PART:** "Hunt's Supreme Quality Fancy Spanish Style Tomato Sauce."

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

**DISPOSITION:** July 19, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9978. Adulteration of tomato sauce. U. S. v. 20 Cases of Tomato Sauce. Default decree of condemnation and destruction. (F. D. C. No. 20267. Sample No. 45805-H.)**

**LIBEL FILED:** June 17, 1946, Eastern District of Kentucky.

**ALLEGED SHIPMENT:** On or about May 27, 1946, by R. Vannucci and Sons, from San Francisco, Calif.

**PRODUCT:** 20 cases, each containing 72 8-ounce cans, of tomato sauce at Lexington, Ky.

**LABEL, IN PART:** "Hunt's Supreme Quality Fancy Spanish Style Tomato Sauce \* \* \* Packed by Hunt Foods Inc. \* \* \* San Francisco Calif."

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

**DISPOSITION:** July 11, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### NUTS AND NUT PRODUCTS\*

**9979. Adulteration of almonds. U. S. v. 11 Bags of Almonds. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19873. Sample Nos. 52931-H, 52932-H.)**

**LIBEL FILED:** May 15, 1946, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about May 9 and July 3, 1945, by the H. A. Johnson Co., from New York, N. Y.

**PRODUCT:** 11 220-pound bags of almonds at Dayton, Ohio.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta pellets and rodent hairs.

**DISPOSITION:** June 12, 1946. The Maude Muller Candy Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the nuts

\*See also Nos. 9833, 9851.