

PRODUCT: 51 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Sioux City, Iowa.

LABEL, IN PART: "Bob White Brand Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article fell below the standard of quality prescribed for canned tomatoes because of an excess of tomato peel and blemishes, and it was not labeled to show that it was substandard.

DISPOSITION: January 27, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

10463. Adulteration of tomato juice and tomato puree and misbranding of tomato paste and diced peaches. U. S. v. Joseph J. Felice (Hollister Canning Co.). Plea of nolo contendere. Fine, \$300. (F. D. C. No. 21512. Sample Nos. 25681-H, 29517-H, 30766-H, 46033-H, 46618-H, 58130-H.)

INFORMATION FILED: December 30, 1946, Northern District of California, against Joseph J. Felice, trading as the Hollister Canning Co., Hollister, Calif.

ALLEGED SHIPMENT: Between the approximate dates of September 28, 1945, and January 3, 1946, from the State of California into the States of Colorado, Washington, New York, Minnesota, North Carolina, and Pennsylvania.

LABEL, IN PART: "Hollister Brand California Tomato Juice," "San Benito Tomato Paste," "Felice Tomato Puree," "San Benito Diced Yellow Cling Peaches In Light Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), (tomato juice and tomato puree) the articles consisted in part of a decomposed substance by reason of the presence of decomposed tomato material.

Misbranding, Section 403 (g) (1), (tomato paste and diced peaches) the tomato paste failed to conform to the definition and standard of identity because it contained less than 25 percent of salt-free tomato solids, and the diced peaches failed to conform to the standard of identity because the peach ingredient of the article was not in the dice form of unit.

DISPOSITION: February 13, 1947. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$50 on each of 6 counts, a total fine of \$300.

10464. Adulteration of tomato juice. U. S. v. 400 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 21632, 21633. Sample Nos. 65621-H, 65626-H.)

LIBELS FILED: November 7, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 23 and 27, 1946, by the Garden State Canning Co., from Hightstown, N. J.

PRODUCT: 400 cases and 600 cases, each containing 12 1-quart, 14-fluid-ounce cans, of tomato juice at Philadelphia, Pa.

LABEL, IN PART: "Farm Fresh Brand Tomato Juice," or "Sunrise Brand Tomato Juice * * * Distributed by American Stores Co., Philadelphia, Pa."

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

DISPOSITION: December 5, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

10465. Adulteration of tomato juice. U. S. v. 184 Cases * * *. (F. D. C. No. 21766. Sample No. 60798-H.)

LIBEL FILED: November 22, 1946, Western District of New York.

ALLEGED SHIPMENT: On or about September 23, 1946, by H. P. Cannon & Son, Inc., from Bridgeville, Del.

PRODUCT: 184 cases, each containing 12 1-quart, 14-fluid-ounce cans, of tomato juice at Rochester, N. Y.

LABEL, IN PART: "Cannon Tomato Juice."

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

DISPOSITION: January 6, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10466. Adulteration of tomato juice. U. S. v. 21 Cases * * *. (F. D. C. No. 21329. Sample No. 53522-H.)

LIBEL FILED: October 22, 1946, Middle District of Tennessee.

ALLEGED SHIPMENT: On or about September 5, 1946, by the Billman-Woodard Co., from Hope, Ind.

PRODUCT: 21 cases, each containing 24 1-pint, 2-fluid-ounce cans, of tomato juice at Nashville, Tenn.

LABEL, IN PART: "Clifty Valley Brand Tomato Juice."

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 fly eggs and maggots, and of a decomposed substance by reason of the presence of decomposed tomato material; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 7, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10467. Adulteration of tomato soup. U. S. v. 265 Cases * * *. (F. D. C. No. 21387. Sample Nos. 53347-H, 53348-H.)

LIBEL FILED: October 29, 1946, Southern District of Ohio.

ALLEGED SHIPMENT: On or about October 7, 1946, by the Morgan Packing Co., from Austin, Ind.

PRODUCT: 146 cases, each containing 48 10½-ounce cans, and 119 cases, each containing 24 1-pound, 4-ounce cans, of tomato soup at Cincinnati, Ohio.

LABEL, IN PART: "Jackson Condensed Tomato Soup."

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

DISPOSITION: December 9, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10468. Adulteration of tomato soup. U. S. v. 74 and 128 Cases * * *. (F. D. C. Nos. 21663, 21699. Sample Nos. 1958-H, 53197-H.)

LIBELS FILED: November 13 and 20, 1946, Western District of South Carolina and Southern District of Ohio.

ALLEGED SHIPMENT: On or about September 17, 19, and 25, 1946, by the Morgan Packing Co., from Austin, Ind.

PRODUCT: Tomato soup. 74 cases, each containing 24 1-pound, 4-ounce cans, at Greenville, S. C., and 128 cases, each containing 48 10½-ounce cans, at Springfield, Ohio.

LABEL, IN PART: "Jackson Brand Condensed Tomato Soup."

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

DISPOSITION: December 30, 1946, and January 4, 1947. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

MEAT AND POULTRY

10469. Adulteration of frozen meat. U. S. v. 72 Barrels * * *. (F. D. C. No. 22164. Sample Nos. 90309-H, 90310-H.)

LIBEL FILED: January 8, 1947, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about November 5 and 14, 1946, from South St. Paul, Minn., and National Stock Yards, Ill.

PRODUCT: 72 300-pound barrels of frozen meat at Richmond, Va., in possession of Richmond Cold Storage Co., Inc. The product was stored under insanitary conditions after shipment. The burlap covers on the barrel heads were rodent-gnawed and urine-stained, and examination showed the presence of rodent-gnawed meat and rodent excreta.