

that the New York lot be released under bond, conditioned upon the segregation and destruction, or denaturing, of the unfit portion, under the supervision of the Federal Security Agency; that the East Hartford lot be destroyed; and that the Allentown lot be released under bond for relabeling, under the supervision of the Federal Security Agency.

11066. Adulteration of tomato paste. U. S. v. 129 Cases * * *. (F. D. C. No. 19487. Sample No. 45562-H.)

LIBEL FILED: April 3, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about March 9, 1946, by the Veronica Olive Oil Co., from Oakland, Calif.

PRODUCT: 129 cases, each containing 96 6-ounce cans, of tomato paste at New York, N. Y.

LABEL, IN PART: "Contadina Fancy Tomato Paste * * * Hershel Cal. Fruit Prod. Co. San Jose, Calif."

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: April 18, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11067. Misbranding of tomato paste. U. S. v. 27 Cases * * *. (F. D. C. No. 19600. Sample No. 58130-H.)

LIBEL FILED: April 23, 1946, Western District of Washington.

ALLEGED SHIPMENT: On or about January 3, 1946, by Hollister Canning Co., from Hollister, Calif.

PRODUCT: 27 cases, each containing 6 6-pound, 15-ounce tins, of tomato paste at Seattle, Wash.

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for tomato paste since it contained less than 25 percent of salt-free tomato solids, the minimum permitted by the definition and standard.

DISPOSITION: October 15, 1946. Hollister Canning Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

NUTS*

11068. Adulteration of shelled almonds. U. S. v. 35 Bags * * *. (F. D. C. No. 19605. Sample No. 35187-H.)

LIBEL FILED: April 10, 1946, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about September 14, 1945, from Sacramento, Calif.

PRODUCT: 35 100-pound bags of shelled almonds at St. Louis, Mo., in possession of the Dye Candy Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-cut, and the almonds had been gnawed by rodents. Examination showed that the product was insect-infested and that it contained rodent excreta and rodent hairs.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 29, 1946. The Dye Candy Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

11069. Adulteration of shelled almonds. U. S. v. 90 Boxes * * *. (F. D. C. No. 19620. Sample No. 35188-H.)

LIBEL FILED: April 11, 1946, Eastern District of Missouri.

*See also No. 11031.