

**DISPOSITION:** October 15, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**11264. Misbranding of tomato puree. U. S. v. 115 Cases \* \* \*. (F. D. C. No. 20048. Sample No. 59011-H.)**

**LIBEL FILED:** May 29, 1946, District of Montana.

**ALLEGED SHIPMENT:** On or about March 5, 1946, by the Valley Food Co., from Donna, Tex.

**PRODUCT:** 115 cases, each containing 100 4¾-ounce cans, of tomato puree at Great Falls, Mont.

**LABEL, IN PART:** "Del-I-Pak Brand Tomato Puree."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity established by the regulations, since it contained less than 8.37 percent of salt-free tomato solids, the minimum permitted by the standard.

**DISPOSITION:** October 28, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**11265. Adulteration of tomato sauce. U. S. v. 200 Cases and 199 Cases \* \* \*. (F. D. C. Nos. 18978, 19008. Sample Nos. 29514-H, 46801-H.)**

**LIBELS FILED:** January 14 and 28, 1946, District of Puerto Rico.

**ALLEGED SHIPMENT:** On or about December 18, 1945, by the Banton Corp., from San Francisco, Calif.

**PRODUCT:** 399 cases, each containing 72 8-ounce cans, of tomato sauce at San Juan, Puerto Rico.

**LABEL, IN PART:** "Hunt's Supreme Quality Fancy Spanish Style Tomato Sauce \* \* \* Packed By Hunt Brothers Packing Company [or "Hunt Foods Inc.]" \* \* \* San Francisco 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 29, 1947. No claim or answer having been filed, judgments of forfeiture were entered and the product was ordered destroyed.

### MEAT AND POULTRY

**11266. Adulteration and misbranding of frozen frog legs. U. S. v. 344 Packages \* \* \*. (F. D. C. No. 20013. Sample No. 60388-H.)**

**LIBEL FILED:** May 17, 1946, Western District of New York.

**ALLEGED SHIPMENT:** On or about April 27, 1946, by Morris Fisheries, Inc., from Chicago, Ill.

**PRODUCT:** 344 12-ounce packages of frozen frog legs at Buffalo, N. Y.

**LABEL, IN PART:** "Frog Legs \* \* \* Produced by Melver, Incorporated, Sebastian, Florida."

**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 viscera and of a putrid substance by reason of the presence of putrid frog legs; and, Section 402 (b) (2), portions of the back and head had been substituted in part for frog legs.

Misbranding, Section 403 (a), the designation "Frog Legs" was false and misleading as applied to the article, which contained portions of the back and head.

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

**11267. Adulteration of poultry. U. S. v. The Cudahy Packing Co. Plea of guilty. Fine, \$100 and costs. (F. D. C. No. 20184. Sample No. 6120-H.)**

**INFORMATION FILED:** November 15, 1946, Southern District of Iowa, against the Cudahy Packing Co., a corporation, trading at Winfield, Iowa.

**ALLEGED SHIPMENT:** On or about October 18, 1945, from the State of Iowa into the State of New York.