

PRODUCT: 197 cases, each containing 6 cans, of tomato catsup at Honolulu, T. H.

LABEL, IN PART: "R-Best Brand Tomato Catsup Stockton Food Products Inc. Stockton, California."

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: November 5, 1945. American Factors, Ltd., having admitted the adulteration of the product and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered forfeited. Thereafter, the product was destroyed by the United States marshal.

12581. Misbranding of tomato puree. U. S. v. 99 Cases * * *. (F. D. C. No. 24210. Sample No. 33223-K.)

LABEL FILED: December 26, 1947, District of Massachusetts.

ALLEGED SHIPMENT: On or about November 20, 1947, by Flotill Products, Inc., from Stockton, Calif.

PRODUCT: 99 cases, each containing 24 cans, of tomato puree at Boston, Mass.

LABEL, IN PART: "Flotta Tomato Puree * * * Contents 1 Lb. 12 Ozs."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than the declared amount.)

DISPOSITION: February 3, 1948. Flotill Products, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, to be relabeled under the supervision of the Federal Security Agency.

NUTS AND NUT PRODUCTS*

12582. Adulteration of brazil nuts. U. S. v. 27 Bags * * * (and 1 other seizure action). (F. D. C. Nos. 21880, 24123. Sample Nos. 53637-H, 12227-K.)

LABELS FILED: December 23, 1946, and November 24, 1947, Southern District of Ohio and Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 25, 1946, and October 17, 1947, by the Red Line Commercial Co., Inc., from New York, N. Y.

PRODUCT: Brazil nuts. 27 100-pound bags at Dayton, Ohio, and 81 100-pound bags at Philadelphia, Pa.

LABEL, IN PART: "Amazon Brand," or "Pan American Brand."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the Dayton lot consisted in whole or in part of a decomposed substance by reason of the presence of moldy, rancid, and decomposed nuts, and was otherwise unfit for food by reason of the presence of empty shells. The Philadelphia lot consisted in whole or in part of a filthy substance by reason of the presence of wormy nuts, and of a decomposed substance by reason of the presence of moldy nuts.

DISPOSITION: February 7 and December 11, 1947. The Biddle Purchasing Co., claimant for the Dayton lot, and the Red Line Commercial Co., Inc., claimant for the Philadelphia lot, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond, to be brought into compliance with the law, under the supervision of the Federal Security Agency.

12583. Adulteration of brazil nuts. U. S. v. 50 Bags * * *. (F. D. C. No. 23859. Sample No. 411-K.)

LABEL FILED: October 17, 1947, Western District of North Carolina.

ALLEGED SHIPMENT: On or about September 22, 1947, by the Southgate Brokerage Co., from Norfolk, Va.

PRODUCT: 50 100-pound bags of brazil nuts at Charlotte, N. C.

LABEL, IN PART: "Southgate's Natural Large Medium Brazil Nuts."

*See also No. 12419.