

it is a substance not required in the production of the food and could have been avoided by good manufacturing practice.

**DISPOSITION:** January 20, 1948. A plea of guilty having been entered, the defendant was fined \$125.

**12602. Adulteration of tomato juice. U. S. v. Billman-Woodard Company, Elmer Billman, and Ormand H. Woodard. Pleas of guilty. Fines, \$100 against company and \$1 against each individual. (F. D. C. No. 22020. Sample No. 53522-H.)**

**INFORMATION FILED:** April 2, 1947, Southern District of Indiana, against the Billman-Woodard Company, a partnership, Hope, Ind., and Elmer Billman and Ormand H. Woodard, members of the partnership.

**ALLEGED SHIPMENT:** On or about September 5, 1946, from the State of Indiana into the State of Tennessee.

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

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted 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 and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** June 30, 1947. Pleas of guilty having been entered, the court imposed fines of \$100 against the company and \$1 against each individual.

**12603. Adulteration and misbranding of tomato juice. U. S. v. Verland V. Erntson Albany Canning Co.). Plea of guilty. Fine, \$100. (F. D. C. No. 17850. Sample No. 98437-F.)**

**INFORMATION FILED:** May 22, 1946, against Verland V. Erntson, trading as the Albany Canning Co., Albany, Oreg.

**ALLEGED SHIPMENT:** On or about November 21, 1944, from the State of Oregon into the State of Missouri.

**PRODUCT:** Tomato product invoiced as "Tomato Juice."

**LABEL, IN PART:** (Cases) "Tomato Pulp."

**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.

Misbranding, Section 403 (g) (1), the article purported to be tomato juice and failed to conform with the regulations, since it had not been strained free from skins and seeds, as required by the definition and standard of identity promulgated for tomato juice.

**DISPOSITION:** January 23, 1947. Plea of guilty; fine, \$100.

**12604. Adulteration of tomato juice. U. S. v. Garden State Canning Co. and Norman W. Frazer. Pleas of guilty. Fine of \$500 against each defendant. (F. D. C. No. 22035. Sample No. 65621-H.)**

**INFORMATION FILED:** June 27, 1947, District of New Jersey, against the Garden State Canning Co., a corporation, and Norman W. Frazer, president.

**ALLEGED SHIPMENT:** On or about August 23, 1946, from the State of New Jersey into the State of Pennsylvania.

**LABEL, IN PART:** "Farm Fresh Brand Tomato Juice."

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

**DISPOSITION:** July 14, 1947. Pleas of guilty having been entered, the court sentenced each defendant to a fine of \$1,000, \$500 of which was suspended.

**12605. Adulteration of tomato juice. U. S. v. 390 Cartons \* \* \*. (F. D. C. No. 21225. Sample No. 64452-H.)**

**LIBEL FILED:** October 8, 1946, Southern District of New York.

**ALLEGED SHIPMENT:** On or about August 27, 1946, by Walter L. Rathbun, Inc., from Phalanx, N. J.

**LABEL, IN PART:** "White Rose Pure Tomato Juice \* \* \* Seeman Brothers Incorporated Distributors New York, N. Y."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed that the product contained decomposed tomato material.)

**DISPOSITION:** June 24, 1947. Walter L. Rathbun, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was released under bond, conditioned that the fit portion be used in the manufacture of tomato puree or tomato catsup and that the unfit portion be denatured or destroyed under the supervision of the Food and Drug Administration.

**12606. Adulteration of tomato juice. U. S. v. 690 Cases \* \* \*. (F. D. C. No. 21881. Sample No. 61116-H.)**

**LIBEL FILED:** December 23, 1946, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 2, 1946, by Westfield Planters Cooperative Fruit Products, Inc., from Westfield, N. Y.

**PRODUCT:** 690 cases, each containing 6 3-quart cans, of tomato juice at Pittsburgh, Pa.

**LABEL, IN PART:** "Edelweiss 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:** March 18, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**12607. Adulteration of tomato juice. U. S. v. 987 Cases \* \* \*. (F. D. C. No. 22524. Sample No. 60554-H.)**

**LIBEL FILED:** February 13, 1947, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about September 19, 1946, by the Mel Williams Corporation, from Sonoma, Calif.

**PRODUCT:** 987 cases, each containing 12 48-ounce cans, of tomato juice at Pittsburgh, Pa.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

**DISPOSITION:** March 3, 1947. M. Rom and Sons Company, Inc., Pittsburgh, Pa., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

**12608. Adulteration of tomato juice. U. S. v. 433 Cases \* \* \*. (F. D. C. No. 22433. Sample No. 52043-H.)**

**LIBEL FILED:** January 25, 1947, District of Minnesota.

**ALLEGED SHIPMENT:** On or about November 22, 1946, by Roach-Indiana Corporation, from Arlington, Ind.

**PRODUCT:** 433 cases, each containing 6 3-quart cans, of tomato juice at Minneapolis, Minn.

**LABEL, IN PART:** "Tomato Juice Good. N. Full."

**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:** March 31, 1947. No claimant having appeared, judgment was entered and the product was ordered destroyed or disposed of as animal feed.

**12609. Adulteration of tomato juice. U. S. v. 608 Cases \* \* \*. (F. D. C. No. 22214. Sample No. 65964-H.)**

**LIBEL FILED:** January 24, 1947, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 27, 1946, by the Southern Packing Co., from Smithburg, Md.

**PRODUCT:** 608 cases, each containing 12 1-quart, 14-fluid ounce cans, of tomato juice at Philadelphia, Pa.