

## TOMATOES AND TOMATO PRODUCTS

**14073. Adulteration of canned tomatoes. U. S. v. 549 Cases \* \* \* (and 1 other seizure action). (F. D. C. Nos. 25908, 25909. Sample Nos. 19791-K, 19988-K.)**

**LIBELS FILED:** November 10 and 24, 1948, Western District of Kentucky and Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about September 14 and 15, 1948, by Stokely-Van Camp, Inc., from Greenfield, Ind.

**PRODUCT:** Tomatoes. 549 cases at Louisville, Ky., and 229 cases at Columbus, Ohio. Each case contained 24 1-pound, 3-ounce cans.

**LABEL, IN PART:** "Stokeley's Finest Tomatoes."

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

**DISPOSITION:** January 24 and 28, 1949. Default decrees of condemnation. The 229 cases at Columbus, Ohio, were ordered destroyed. The 549 cases at Louisville, Ky., were ordered delivered to a charitable institution, for use as animal feed.

**14074. Misbranding of canned tomatoes. U. S. v. 273 Cases \* \* \*. F. D. C. No. 25996. Sample No. 23516-K.)**

**LIBEL FILED:** November 5, 1948, Western District of Arkansas.

**ALLEGED SHIPMENT:** On or about July 15, 1948, by the Timpson Valley Canning Co., from Big Sandy, Tex.

**PRODUCT:** 273 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Texarkana, Ark.

**LABEL, IN PART:** "Hall Bros Quality Tomatoes \* \* \* Packed By Hall Bros. Canning Co., Timpson, Texas."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes because of low drained weight and excess peel, and its label failed to bear the substandard legend as required by the regulations.

**DISPOSITION:** January 15, 1949. Default decree of condemnation. The product was ordered delivered to a Federal institution.

**14075. Adulteration of tomato catsup. U. S. v. Kent Food Corp. Plea of guilty. Fine, \$350. (F. D. C. No. 24052. Sample No. 76150-H.)**

**INFORMATION FILED:** September 17, 1948, Eastern District of New York, against the Kent Food Corp., Brooklyn, N. Y.

**ALLEGED SHIPMENT:** On or about October 30, 1946, from the State of New York into the State of Pennsylvania.

**LABEL, IN PART:** "Michigan Brand Grade A Tomato Catsup \* \* \* Packed By Beutel Canning Co. Bay City, Mich."

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

**DISPOSITION:** January 13, 1949. A plea of guilty having been entered, the court imposed a fine of \$350.

**14076. Adulteration of tomato catsup. U. S. v. 1,574 Cases \* \* \*. (F. D. C. No. 22580. Sample No. 76150-H.)**

**LIBEL FILED:** February 26, 1947, Middle District of Pennsylvania.