

14078. Misbranding of tomato catsup. U. S. v. 89 Cases * * *. (F. D. C. No. 25276. Sample No. 36273-K.)

LIBEL FILED: August 18, 1948, District of Montana.

ALLEGED SHIPMENT: On or about May 24, 1948, by the California Packing Corp., from Evona, Utah.

PRODUCT: 89 cases, each containing 6 cans, of tomato catsup at Havre, Mont.

LABEL, IN PART: "Utah's Favorite Brand Tomato Catsup Net Contents 7 lbs. 12 ozs. Distributed by Woods Cross Canning Co., Clearfield, Utah."

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 since each can contained less than the labeled 7 pounds, 12 ounces.

DISPOSITION: October 11, 1948. The Woods Cross Canning Co., claimant, having admitted the allegations of the libel, judgment was entered ordering the product released under bond to be relabeled, under the supervision of the Food and Drug Administration.

14079. Adulteration of tomato puree. U. S. v. 70 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 25211, 25416. Sample Nos. 20410-K, 45725-K.)

LIBELS FILED: On or about July 23, 1948, and August 31, 1948, Eastern and Western Districts of Missouri.

ALLEGED SHIPMENT: On or about June 7, 1948, by Netzleys Cannery, from Laura, Ohio.

PRODUCT: Tomato puree. 70 cases at St. Louis, Mo., and 35 cases at Kansas City, Mo. Each case contained 48 10½-ounce cans.

LABEL, IN PART: "Tops-Em Tomato Puree."

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: August 18 and September 27, 1948. Default decrees of condemnation and destruction.

NUTS AND NUT PRODUCTS

14080. Adulteration of peanut butter and granulated peanuts. U. S. v. Martin Food Products, Inc. Plea of nolo contendere. Fine, \$500. (F. D. C. No. 25328. Sample Nos. 24281-K, 25097-K, 25324-K.)

INFORMATION FILED: October 26, 1948, Northern District of Illinois, against Martin Food Products, Inc., Chicago, Ill.

ALLEGED SHIPMENT: On or about March 3 and April 1 and 21, 1948, from the State of Illinois into the States of Wisconsin and South Dakota.

LABEL, IN PART: "Pal Peanut Butter" or "Granulated Peanuts."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in part of filthy substances by reason of the presence of insect fragments in the peanut butter, and insects, insect fragments, and insect excreta in the granulated peanuts; and, Section 402 (a) (4), the peanut butter had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 30, 1948. A plea of nolo contendere having been entered, the defendant was fined \$500.