

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or 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 under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 1, 1949. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

15031. Adulteration of canned tomatoes. U. S. v. 421 Cases * * *. (F. D. C. No. 27444. Sample No. 24298-K.)

LIBEL FILED: June 28, 1949, Northern District of Iowa.

ALLEGED SHIPMENT: On or about May 13, 1949, by the Elwood Canning Co., from Elwood, Ind.

PRODUCT: 421 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Sioux City, Iowa.

LABEL, IN PART: "Bluebelle Brand * * * Tomatoes."

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: September 9, 1949. Default decree of condemnation and destruction.

15032. Misbranding of canned tomatoes. U. S. v. 184 Cases * * *. (F. D. C. No. 26644. Sample No. 5743-K.)

LIBEL FILED: March 18, 1949, District of New Hampshire.

ALLEGED SHIPMENT: On or about January 5, 1949, by Bay Country Foods, Inc., from Easton, Md.

PRODUCT: 184 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Concord, N. H.

LABEL, IN PART: (Can) "Longwoods Brand Tomatoes * * * Packed * * * by Longwoods Canning Co. Longwoods, Md."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes since it contained excessive tomato peel, and its label failed to bear a statement that it fell below such standard.

DISPOSITION: June 20, 1949. Default decree of condemnation. The court ordered that the product be delivered to a State institution.

15033. Adulteration of tomato catsup. U. S. v. 599 Cases * * *. (F. D. C. No. 27396. Sample No. 46558-K.)

LIBEL FILED: June 2, 1949, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about May 2, 1949, by the Fettig Canning Corp., from Elwood, Ind.

PRODUCT: 599 cases, each containing 24 14-ounce bottles, of tomato catsup at East St. Louis, Ill.

LABEL, IN PART: "Fettig * * * Tomato Catsup."

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: July 12, 1949. Default decree of condemnation and destruction.