

**DISPOSITION:** August 12, 1949. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

**15095. Adulteration of canned potatoes. U. S. v. 700 Cases \* \* \*. (F. D. C. No. 21876. Sample No. 72665-H.)**

**LIBEL FILED:** December 20, 1946, District of Utah.

**ALLEGED SHIPMENT:** On or about October 20, 1946, by Hunt Foods, Inc., from Fullerton, Calif.

**PRODUCT:** 700 cases, each containing 12 1-pound, 12-ounce jars, of potatoes at Salt Lake City, Utah.

**LABEL, IN PART:** (Jars) "Hunt's Whole New Potatoes, Salt Added."

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

**DISPOSITION:** January 21, 1947. Hunt Foods, Inc., claimant, having consented to the entry of a decree, 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 Federal Security Agency. A total of 15 cases were found unfit and were destroyed.

### **TOMATOES AND TOMATO PRODUCTS \***

**15096. Adulteration of canned tomatoes. U. S. v. Louis H. Herndon (Humboldt Canning Co.). Plea of nolo contendere. Fine, \$500. (F. D. C. No. 26334. Sample Nos. 23621-K, 23624-K.)**

**INFORMATION FILED:** June 9, 1949, Western District of Tennessee, against Louis H. Herndon, trading as the Humboldt Canning Co., Humboldt, Tenn.

**ALLEGED SHIPMENT:** On or about August 24, 1948, from the State of Tennessee into the State of Mississippi.

**LABEL, IN PART:** "Dyer Brand Hand Packed Tomatoes."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of fly maggots and fly eggs, and it consisted in part of a decomposed substance by reason of the presence of decomposed tomato material; and, Section 402 (a) (4), the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** July 8, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$500.

**15097. Adulteration of canned tomatoes. U. S. v. Orestes Canning Co., Inc. Plea of guilty. Fine, \$1,000. (F. D. C. No. 27495. Sample Nos. 15571-K, 25744-K, 43158-K.)**

**INFORMATION FILED:** August 10, 1949, Southern District of Indiana, against the Orestes Canning Co., Inc., Elwood and Orestes, Ind.

**ALLEGED SHIPMENT:** Between the approximate dates of September 21 and October 20, 1948, from the State of Indiana into the States of Michigan, Minnesota, and Illinois.

**LABEL, IN PART:** "Indiana Chief Brand Tomatoes" or "Goldblatt's Bond \* \* \* Red Ripe Tomatoes Packed for Goldblatt Bros., Chicago, Ill."

\*See also Nos. 15054-15058.