

**15499. Adulteration and misbranding of canned tomatoes. U. S. v. 117 Cases**  
 \* \* \* (and 1 other seizure action). (F. D. C. Nos. 27911, 28237.  
 Sample Nos. 47409-K, 47635-K.)

**LIBELS FILED:** October 13 and 25, 1949, Western District of New York and Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about August 6 and 13, 1949, by A. W. Sisk & Son, from Longwoods and Swards, Md.

**PRODUCT:** Canned tomatoes. 117 cases at Buffalo, N. Y., and 647 cases at South Norfolk, Va. Each case contained 24 1-pound, 3-ounce cans.

**LABEL, IN PART:** "Longwoods Brand Tomatoes \* \* \* Packed \* \* \* by Longwoods Canning Co., Longwoods, Md.," or "Red-Glo Tomatoes Albert W. Sisk and Son Distributors Not Manufacturers."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (4), water had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality or strength.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for canned tomatoes since it contained added water, which is not a permitted ingredient.

**DISPOSITION:** November 7 and 23, 1949. Default decrees of condemnation. The court ordered that one lot of the product be delivered to a charitable institution and the other lot to a Federal reformatory.

**15500. Adulteration and misbranding of canned tomatoes. U. S. v. 157 Cases**  
 \* \* \* (and 1 other seizure action). (F. D. C. Nos. 28268, 28269.  
 Sample Nos. 62125-K, 62541-K.)

**LIBELS FILED:** November 3 and December 12, 1949, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about August 22 and 28, 1949, by A. W. Sisk & Son, from Federalsburg, Md.

**PRODUCT:** Canned tomatoes. 157 cases at Cambridge, Mass., and 595 cases at Springfield, Mass. Each case contained 24 1-pound, 3-ounce cans.

**LABEL, IN PART:** "Pine Cone Brand Tomatoes."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), (Springfield lot) the product consisted in whole or in part of a decomposed substance by reason of its chemical decomposition; and, Section 402 (b) (4), (both lots) water had been added to the article and mixed and packed with it so as to increase its bulk or weight and reduce its quality or strength.

Misbranding, Section 403 (g) (1), (both lots) the product failed to conform to the definition and standard of identity for canned tomatoes since it contained added water, which is not a permitted ingredient.

**DISPOSITION:** November 3 and December 12, 1949. Default decrees of condemnation. The court ordered that the Cambridge lot be delivered to a charitable institution and that the Springfield lot be destroyed.

#### INDEX TO NOTICES OF JUDGMENT F. N. J. NOS. 15451 TO 15500

##### PRODUCTS

N. J. No.		N. J. No.	
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Beans, green, canned	15492	Butter	15465-15467
Blueberries, fresh	15482-15491	Candy	15451-15454