

LABEL, IN PART: (Can) "Pine Grove Brand Sliced Beets" [or "Sweet Potatoes," "Stringless Green Beans," "Okra," or "Corn, Okra and Tomatoes"]; "Creole Maid Brand Creole Okra Dinner" [or "Whole Stringless Green Beans"]; and "Durand's Brand * * * Sweet Potatoes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of decomposed substances by reason of the presence of decomposed vegetable material.

DISPOSITION: December 20, 1950. Default decree of condemnation and destruction.

TOMATOES AND TOMATO PRODUCTS*

17083. Adulteration and misbranding of canned tomatoes. U. S. v. 578 Cases (and 1 other seizure action). (F. D. C. Nos. 30183, 30341. Sample Nos. 55064-K, 55065-K.)

LIBELS FILED: November 30 and December 13, 1950, Northern District of Alabama.

ALLEGED SHIPMENT: On or about September 7, 1950, by the H. J. McGrath Co., from Baltimore, Md.

PRODUCT: Tomatoes. 578 cases at Birmingham, Ala., and 525 cases at Jasper, Ala. Each case contained 24 1-pound, 3-ounce cans, of tomatoes.

LABEL, IN PART: "Realm Vine Ripened 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.

Misbranding (Jasper lot only), Section 403 (g) (2), the product was canned tomatoes, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the common name of the optional ingredient, added strained tomatoes, as required by the definition and standard; and, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes since it contained excessive peel and the label failed to bear a statement that the product fell below the standard.

DISPOSITION: February 19, 1951. Default decrees of condemnation and destruction.

17084. Adulteration of canned tomatoes. U. S. v. 160 Cases * * *. (F. D. C. No. 30209. Sample No. 70763-K.)

LIBEL FILED: December 14, 1950, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about October 13, 1950, by the Roy Nelson Canning Co., from Aurora, Mo.

PRODUCT: 160 cases, each containing 48 10-ounce cans, of tomatoes at Cushing, Okla.

LABEL, IN PART: (Can) "Smile Girl Brand Hand Packed Tomatoes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance. Examination showed that the product contained fly eggs and maggots.

DISPOSITION: January 25, 1951. Default decree of condemnation and destruction.

*See also Nos. 17052-17054.