

**18133. Adulteration of egg plant relish. U. S. v. 183 Cases \* \* \*. (F. D. C. No. 31661. Sample No. 1431-L.)**

**LIBEL FILED:** On or about September 6, 1951, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about June 30, 1951, from New Orleans, La.

**PRODUCT:** 183 cases, each containing 100 6-ounce cans, of egg plant relish at Stone Mountain, Ga.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** October 2, 1951. Default decree of condemnation and destruction.

### TOMATOES AND TOMATO PRODUCTS

**18134. Misbranding of canned tomatoes. U. S. v. 347 Cases \* \* \*. (F. D. C. No. 31664. Sample No. 12818-L.)**

**LIBEL FILED:** September 14, 1951, District of Colorado.

**ALLEGED SHIPMENT:** On or about June 28, 1951, by the L. H. Moore Canning Co., from McAllen, Tex.

**PRODUCT:** 347 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Pueblo, Colo.

**LABEL, IN PART:** (Can) "Gardenside Brand Tomatoes."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes since the article failed to meet the requirements for strength and redness of color, and the label failed to bear a statement that the article fell below the standard.

**DISPOSITION:** November 19, 1951. Default decree of condemnation. The court ordered that the product, which consisted of 13 cases actually seized, be delivered to a charitable institution.

**18135. Misbranding of canned tomatoes. U. S. v. 248 Cases \* \* \*. (F. D. C. No. 31766. Sample No. 23748-L.)**

**LIBEL FILED:** October 9, 1951, District of Connecticut.

**ALLEGED SHIPMENT:** On or about August 2, 1951, by the Chester Packing Co., from Chestertown, Md.

**PRODUCT:** 248 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Waterbury, Conn.

**LABEL, IN PART:** (Can) "Pride of the Farm Brand \* \* \* Tomatoes."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes because of the low drained weight, and the label failed to bear a statement that the article fell below the standard.

**DISPOSITION:** November 27, 1951. Default decree of condemnation. The court ordered that the product, which consisted of 64 cases actually seized, be distributed to charitable institutions.