

**PRODUCT:** 147 cases, each containing 24 1-pound, 11-ounce cans, of sauerkraut at Pittsburgh, Pa.

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

**DISPOSITION:** February 18, 1952. Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as animal feed.

### TOMATOES AND TOMATO PRODUCTS

**18177. Adulteration of canned tomatoes. U. S. v. 290 Cases, etc. (F. D. C. No. 32381. Sample Nos. 5568-L, 5569-L.)**

**LABEL FILED:** December 27, 1951, District of Maine.

**ALLEGED SHIPMENT:** On or about November 2, 1951, by the McCarthy Canning Co., from Summitville, Ind.

**PRODUCT:** Tomatoes. 290 cases, each containing 24 1-pound, 12-ounce cans (with red labels), and 282 cases, each containing 24 1-pound, 12-ounce cans (with white labels), at Portland, Maine.

**LABEL, IN PART:** (Can) "Nation Wide Tomatoes."

**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 of a decomposed substance by reason of the presence of decomposed tomato material (cans with red labels), and of a filthy substance by reason of the presence of fly eggs and maggots (cans with white labels).

**DISPOSITION:** February 25, 1952. Default decree of condemnation and destruction.

**18178. Adulteration of canned tomatoes. U. S. v. 102 Cases \* \* \*. (F. D. C. No. 32389. Sample No. 25969-L.)**

**LABEL FILED:** January 2, 1952, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 16, 1951, by Albert W. Sisk & Son, from Swards, Md.

**PRODUCT:** 102 cases, each containing 24 1-pound cans, of tomatoes at Philadelphia, Pa.

**LABEL, IN PART:** (Can) "Pine Cone Brand 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.

**DISPOSITION:** January 23, 1952. No claimant having appeared and the shipper having disclaimed interest in the property, judgment of condemnation was entered and the court ordered that the product be destroyed.

**18179. Adulteration of canned tomatoes. U. S. v. 59 Cases \* \* \*. (F. D. C. No. 32371. Sample No. 25967-L.)**

**LABEL FILED:** December 20, 1951, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 16, 1951, by Albert W. Sisk & Son, from Swards, Md.

**PRODUCT:** 59 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Philadelphia, Pa.