

18242. Misbranding of canned tomatoes. U. S. v. 495 Cases \* \* \*. (F. D. C. No. 32490. Sample No. 2842-L.)

**LIBEL FILED:** February 8, 1952, Eastern District of North Carolina.

**ALLEGED SHIPMENT:** On or about October 29, 1951, by the J. W. Welch Co., from Downings, Va.

**PRODUCT:** 495 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Littleton, N. C.

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

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the quality of the product fell below the standard of quality for canned tomatoes since it contained excessive tomato peel, and the label failed to bear a statement that the product fell below such standard.

**DISPOSITION:** April 9, 1952. The J. W. Welch Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered the product released under bond for relabeling under the supervision of the Food and Drug Administration.

18243. Adulteration of tomato paste. U. S. v. 2,996 Cases \* \* \*. (F. D. C. No. 32470. Sample No. 8187-L.)

**LIBEL FILED:** February 9, 1952, Northern District of New York.

**ALLEGED SHIPMENT:** The product was imported into the United States on or about March 22, 1951, from Italy.

**PRODUCT:** 2,996 cases, each containing 6 10-pound cans, of tomato paste at Schenectady, N. Y.

**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:** March 19, 1952. Default decree of condemnation and destruction.

18244. Adulteration of tomato paste. U. S. v. 514 Cases \* \* \*. (F. D. C. No. 32422. Sample No. 22991-L.)

**LIBEL FILED:** January 12, 1952, Northern District of New York.

**ALLEGED SHIPMENT:** The product was imported into the United States on or about April 1, 1951, from Italy.

**PRODUCT:** 514 cases, each containing 6 10-pound cans, of tomato paste at South Schenectady, N. Y.

**LABEL, IN PART:** (Can) "Victoria Product of Italy \* \* \* Tomato Paste."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the production consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

**DISPOSITION:** March 24, 1952. Default decree of condemnation and destruction.

18245. Adulteration of tomato puree. U. S. v. 28 Cases \* \* \*. (F. D. C. No. 32412. Sample No. 7222-L.)

**LIBEL FILED:** January 9, 1952, Northern District of West Virginia.

**ALLEGED SHIPMENT:** On or about September 1, 1951, by the C. H. Musselman Co., from Biglerville, Pa.

**PRODUCT:** 28 cases, each containing 6 6-pound, 8-ounce cans, of tomato puree at Wheeling, W. Va.