

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

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for tomato paste since it contained less than 25 percent of salt-free tomato solids, the minimum provided by the regulations.

DISPOSITION: January 21, 1952. The sole intervener having withdrawn its claim, judgment of condemnation was entered and the court ordered that the product be destroyed.

18286. Adulteration of tomato puree. U. S. v. Franklin MacVeagh & Co. Plea of guilty. Fine of \$200 and costs. (F. D. C. No. 31125. Sample No. 9721-L.)

INFORMATION FILED: August 16, 1951, Northern District of Indiana, against Franklin MacVeagh & Co., a corporation, Chicago, Ill.

ALLEGED SHIPMENT: On or about February 22, 1951, from the State of Indiana into the State of Illinois.

LABEL, IN PART: "Sweetheart Contents 6 Lbs. 9 Ozs. De Luxe Tomato Puree Packed for Franklin MacVeagh And Company Chicago, Ill."

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

DISPOSITION: February 7, 1952. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$200, together with costs.

18287. Adulteration of tomato puree. U. S. v. 290 Cases * * *. (F. D. C. No. 29848. Sample No. 73869-K.)

LIBEL FILED: October 26, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about August 23, 1950, by Albert W. Sisk & Son, from Hurlock, Md.

PRODUCT: 290 cases, each containing 24 1-pound, 12-ounce cans, of tomato puree at New York, N. Y.

LABEL, IN PART: "De Cecco Brand Extra Heavy Tomato Puree * * * Packed * * * By John N. Wright Jr. Hurlock, Md."

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

DISPOSITION: December 19, 1951. John N. Wright, Jr., claimant, having failed to file an answer to the libel and no other claimant having appeared, a default decree of condemnation and destruction was entered.

18288. Adulteration of tomato sauce. U. S. v. Hunt Foods New Jersey, Inc. Plea of guilty. Fine of \$500 and probation for two years. (F. D. C. No. 31537. Sample Nos. 95563-K, 25236-L.)

INFORMATION FILED: August 10, 1951, District of New Jersey, against Hunt Foods New Jersey, Inc., trading at Bridgeton, N. J.

ALLEGED SHIPMENT: On or about November 22, 1950, and January 2, 1951, from the State of New Jersey into the State of Pennsylvania.

LABEL, IN PART: "Hunt's Tomato Sauce * * * Packed In U. S. A. By Hunt Foods Inc. Main Office Fullerton, California."