

VEGETABLES

19382. Adulteration of dried black-eyed peas. U. S. v. 288 Bags * * *. (F. D. C. No. 32971. Sample No. 28289-L.)

LIBEL FILED: April 3, 1952, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 27, 1952, by Bryant & Sawyer, from Los Angeles, Calif.

PRODUCT: 288 100-pound bags of dried black-eyed peas at Philadelphia, Pa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect-damaged black-eyed peas.

DISPOSITION: April 15, 1952. Bryant & Sawyer, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Federal Security Agency. The product was denatured for use as seed.

TOMATOES AND TOMATO PRODUCTS

19383. Adulteration and misbranding of canned tomatoes. U. S. v. 929 Cases * * *. (F. D. C. No. 33436. Sample No. 16478-L.)

LIBEL FILED: June 30, 1952, Northern District of Oklahoma.

ALLEGED SHIPMENT: On or about April 25, 1952, by the Davis Canning Co., from Summers, Ark.

PRODUCT: 929 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Tulsa, Okla.

LABEL, IN PART: (Can) "Adair Brand Hand Packed * * * Tomatoes Packed by Wauhillau Canning Co. Adair County, Stillwell, Okla."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing added water had been substituted in whole or in part for canned tomatoes; and, Section 402 (b) (4), water had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for canned tomatoes since it contained added water, which is not a permitted ingredient in the standard.

DISPOSITION: September 8, 1952. Default decree of condemnation. The court ordered that the product, consisting of the 115 cases which were actually seized, be delivered to welfare organizations.

19384. Adulteration of canned tomatoes. U. S. v. 173 Cases * * *. (F. D. C. No. 30197. Sample No. 35787-K.)

LIBEL FILED: December 8, 1950, Western District of New York.

ALLEGED SHIPMENT: On or about November 26, 1950, by Flotill Products, Inc., from Alameda, Calif.

PRODUCT: 173 cases, each containing 24 1-pound, 12-ounce cans, of tomatoes at Buffalo, N. Y.

LABEL, IN PART: (Can) "La Gustosa Brand * * * Unpeeled Plum Tomatoes."

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: October 6, 1952. Flotill Products, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion and for relabeling of the unadulterated portion, under the supervision of the Federal Security Agency. 50½ cases of the product were found unfit and were destroyed.

19385. Adulteration of canned tomatoes. U. S. v. 91 Cases * * *. (F. D. C. No. 33411. Sample No. 46272-L.)

LIBEL FILED: June 23, 1952, Northern District of Alabama.

ALLEGED SHIPMENT: On or about March 19, 1952, by P & G Trading Co., Inc., from New York, N. Y.

PRODUCT: 91 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes, at Birmingham, Ala.

LABEL, IN PART: (3 cans) "Red-Glo Tomatoes * * * Albert W. Sisk and Sons Distributors * * * Preston, Md. and Aberdeen, Md."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination disclosed that the product was decomposed.)

DISPOSITION: August 19, 1952. Default decree of condemnation and destruction.

19386. Adulteration of tomato juice. U. S. v. 1,097 Cases * * *. (F. D. C. No. 33405. Sample No. 15823-L.)

LIBEL FILED: June 18, 1952, District of Kansas.

ALLEGED SHIPMENT: On or about March 20, 1952, by the Bercut-Richards Packing Co., from Sacramento, Calif.

PRODUCT: 1,097 cases, each containing 12 1-quart, 14-fluid-ounce cans of tomato juice at Wichita, Kans.

LABEL, IN PART: "Sacramento—California Tomato Juice."

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: August 12, 1952. Default decree of condemnation and destruction.

19387. Adulteration of tomato juice. U. S. v. 579 Cases * * *. (F. D. C. No. 33398. Sample No. 36070-L.)

LIBEL FILED: June 14, 1952, Southern District of Ohio.

ALLEGED SHIPMENT: On or about March 12, 1952, by the Wann Packing Co., No. 2 Plant, from Frankton, Ind.

PRODUCT: 579 cases, each containing 12 1-quart, 14-ounce cans, of tomato juice at Cincinnati, Ohio.

LABEL, IN PART: "Roy Boy Indiana Tomato Juice."

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: July 21, 1952. Default decree of condemnation and destruction.