

LABEL IN PART: (Can) "Rainbow Brand Tomatoes * * * Distributed by: Nelson Davis and Son Inc. Austin, Texas."

LIBELED: 11-26-65, W. Dist. Tex.; libel amended 12-10-65.

CHARGE: 402(a)(3)—contained decomposed tomato material when shipped.

DISPOSITION: 2-18-66. Default—destruction.

30567. Canned tomatoes. (F.D.C. No. 51936. S. No. 123-093 B.)

QUANTITY: 706 cases, each containing 6 6-lb. 6-oz. cans, at Philadelphia, Pa.

SHIPPED: 10-11-65, from Quantico, Md., by Comly-Flanigen Co.

LABEL IN PART: (Can) "Red Seal Brand Tomatoes * * * Comly-Flanigen Company Philadelphia, Pa."

LIBELED: 12-13-65, E. Dist. Pa.

CHARGE: 402(a)(3)—contained fly eggs, maggots, and *Drosophila* flies when shipped.

DISPOSITION: 2-9-66. Consent—claimed by M. W. Acworth & Son, Inc., Quantico, Md. Segregated; 113½ cases destroyed.

30568. Canned tomatoes. (F.D.C. 52016. S. No. 79-946 B.)

QUANTITY: 448 cases, each containing 24 1-lb. cans, at Dayton, Ohio.

SHIPPED: 11-19-65, from Austin, Ind., by Morgan Packing Co., Inc.

LABEL IN PART: (Case) "Food Club Peeled Tomatoes Topco Associates, Inc., Chicago 2, Ill.," and (can) "Food Club Peeled Tomatoes—Distributed by Topco Associates, Inc., Skokie, Illinois."

LIBELED: 12-14-65, S. Dist. Ohio.

CHARGE: 402(a)(3)—contained decomposed tomato material when shipped.

DISPOSITION: 1-14-66. Default—destruction.

30569. Canned tomatoes. (F.D.C. No. 51935. S. No. 43-260 B.)

QUANTITY: 132 cases, each containing 24 1-lb. 12-oz. cans, at St. Johnsbury, Vt.

SHIPPED: 9-29-65, from Williamsburg, Md., by Albert W. Sisk & Son.

LABEL IN PART: (Can) "Pine Cone Brand Peeled Tomatoes * * * Albert W. Sisk and Son Distributors * * * Preston, Md."

LIBELED: 12-24-65, Dist. Vt.

CHARGE: 403(h)(1)—when shipped, the quality of the article fell below the standard of quality for canned tomatoes due to excessive peel.

DISPOSITION: 1-17-66. Default—delivered to charitable institutions.

30570. Canned tomato sauce (1 seizure action). (F.D.C. Nos. 51928, 52102. S. Nos. 18-215 B, 18-223 B.)

QUANTITY: 10 cases, each containing 72 7¾ oz. cans of Mountain Pass tomato sauce, and 135 cases, each containing 72 7½ oz. cans of Tastewell tomato sauce, at Phoenix, Ariz.

SHIPPED: Between 9-14-65 and 11-5-65, from Anthony, Tex., by Mountain Pass Canning Co., Inc.

LABEL IN PART: (Can) "Mountain Pass Tomato Sauce Spanish Style Packed by Mountain Pass Canning Co., Inc., * * * Anthony, Texas," and "Tastewell Tomato Sauce * * * Pacific Mercantile Co. Distributors San Francisco, California."

LIBELED: 12-28-65, Dist. Ariz.

CHARGE: 402(a)(3)—contained decomposed tomato material when shipped.

DISPOSITION: 2-16-66. Default—destruction.

MEAT PRODUCTS AND POULTRY

30571. Canned beef. (F.D.C. No. 49859. S. No. 34-102 X.)

INFORMATION FILED: 11-10-64, W. Dist. Wis., against James E. Williams, a mink rancher, Tomah, Wis.

ALLEGED VIOLATION: Between 3-12-63 and 6-5-63, a number of cans of adulterated beef were received by the defendant in interstate commerce at Tomah, Wis., from Chicago, Ill., and were delivered by the defendant otherwise than for pay.

LABEL IN PART: (Can) "Beef and Natural Juices Product of Argentine Net Contents: 4 Lbs. Ingredients: Cooked Beef and Salt."

CHARGE: 402(a)(3)—contained insect filth when received and delivered.

PLEA: Nolo contendere.

DISPOSITION: 1-6-66. \$250 fine.

30572. Frozen chickens. (F.D.C. No. 51691. S. No. 25-081 B.)

QUANTITY: 497 cases, containing a total of 27,243 lbs., at Springfield, Ill.

SHIPPED: 8-31-65, from Nashville, Tenn.

LIBELED: 9-22-65, S. Dist. Ill.

CHARGE: 402(a)(3)—contained decomposed chicken meat while held for sale.

DISPOSITION: 12-29-65. Default—destruction.

30573. Frozen fowl livers. (F.D.C. No. 51697. S. No. 107-574 B.)

QUANTITY: 974 cases, each containing 6 5-lb. ctns., at North St. Paul, Minn.

SHIPPED: 9-11-65, from Nashville, Tenn.

LIBELED: 10-5-65, Dist. Minn.

CHARGE: 402(a)(3)—contained decomposed fowl livers, and was unfit for food by reason of friability, desiccation, and abnormal odor, while held for sale.

DISPOSITION: 11-17-65. Default—denatured for use as animal feed.

30574. Chicken broth. (F.D.C. No. 51248. S. No. 52-586 B.)

QUANTITY: 42 cases, each containing 12 jars, at Wayne, Pa.

SHIPPED: 12-31-64, from Plainfield, Mass., by Back Acres, Inc.

LABEL IN PART: (Jar) "Delaware Market House Chicken Broth Net contents 1 Pint Prepared for Delaware Market House, Wayne, Pa."

RESULTS OF INVESTIGATION: Examination showed that the article was 5.4 per cent short in volume.

LIBELED: 4-5-65, E. Dist. Pa.

CHARGE: 403(e)(2)—when shipped, the label of the article failed to bear an accurate statement of the quantity of contents.

DISPOSITION: 11-24-65. Consent—claimed by Back Acres, Inc., for relabeling.