

433. Adulteration of tomato sauce. U. S. v. 100 Cases of Tomato Sauce. Default decree of condemnation and destruction. (F. D. C. No. 1399. Sample No. 56486-D.)

On January 29, 1940, the United States attorney for the District of Oregon filed a libel against 100 cases of canned tomato sauce at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about January 20, 1940, by General Grocery Co. from Alameda, Calif.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On March 5, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

434. Adulteration of canned hot sauce. U. S. v. 99 Cases of Hot Sauce. Consent decree of condemnation and destruction. (F. D. C. No. 1553. Sample No. 92508-D.)

On March 2, 1940, the United States attorney for the Territory of Hawaii filed a libel against 99 cases of canned hot sauce at Kahului, Maui, T. H., consigned by Harcourt, Greene Co., alleging that the article had been shipped on or about February 16, 1940, from Alameda, Calif.; and charging that it was adulterated in that it contained mold and was in whole or in part filthy, putrid, and decomposed, and otherwise unfit for food. The article was labeled in part: "For All Brand Hot Sauce. * * * Harcourt, Greene Co., Distributors, San Francisco, Calif."

On March 7, 1940, the claimant having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

435. Adulteration of hot sauce. U. S. v. 149 Cases of Hot Sauce. Default decree of condemnation and destruction. (F. D. C. No. 1516. Sample No. 56492-D.)

Samples of this product were found to contain insect fragments and excessive mold.

On February 24, 1940, the United States attorney for the Eastern District of Washington filed a libel against 149 cases of hot sauce at Spokane, Wash., alleging that the article had been shipped in interstate commerce on or about January 27, 1940, from Oakland, Calif., by the Independent Grocers Alliance; and charging that it was adulterated in that it consisted wholly or in part of a filthy and decomposed substance. It was labeled in part: "Roundup Brand Hot Sauce * * * Packed For Roundup Grocery Co. Spokane, Wash."

On April 2, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

436. Adulteration of canned tomatoes. U. S. v. 1,200 Cases of Canned Tomatoes (and 1 other seizure action against the same product). Decrees of condemnation. Portion of product ordered destroyed; remainder permitted to be released under bond. (F. D. C. Nos. 989, 1048. Sample Nos. 64205-D, 64206-D.)

This product was in part decomposed.

On November 15 and 21, 1939, the United States attorney for the District of Washington filed libels against 1,372 cases of canned tomatoes at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about October 13 and 16, 1939, by H. D. Olson from Ogden, Utah; and charging that it was adulterated in that it consisted in whole or in part of a decomposed or filthy substance. The article was labeled in part: (Cans) "Standby Solid Pack Tomatoes Grown and Packed in Utah"; or "Emporium Brand * * * Tomatoes Packed For National Grocery Co. Seattle."

On November 30, 1939, Associated Canneries, Inc., having appeared as claimant through H. D. Olson, its vice president, in the case involving 1,200 cases of the product and said claimant having consented to the entry of a decree, judgment of condemnation was entered—the decree, however, containing a provision that the product might be released to the claimant under bond, conditioned that it should not be disposed of in violation of the law. On December 14, 1939, no claim having been entered for the remaining lot, it was condemned and ordered destroyed.

437. Adulteration of canned tomatoes. U. S. v. 1,167 Cases of Tomatoes. Consent decree ordering product released under bond. (F. D. C. No. 1002. Sample No. 83687-D.)

Examination of this product showed that it was wholly or in part decomposed.

On November 21, 1939, the United States attorney for the District of Idaho