1308. Adulteration of tomato catsup. U. S. v. 430 Cases of Tomato Catsup. Consent decree of condemnation and destruction. (F. D. C. No. 1711. Sample No. 16027–E.)

This product contained excessive mold, indicating the presence of decomposed material.

On March 26, 1940, the United States attorney for the Western District of Oklahoma filed a libel against 430 cases of tomato catsup at Oklahoma City, Okla., alleging that the article had been shipped in interstate commerce on or about October 31, 1939, by the Smith Canning Co. from Clearfield, Utah; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance and was unfit for food. The article was labeled in part: (Cans) "La Vora Brand Catsup."

On December 10, 1940, the Griffin Grocery Co., of Oklahoma City, Okla., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

1309. Adulteration and misbranding of tomato catsup. U. S. v. 149 and 115 Cases of Tomato Catsup. Default decrees of condemnation and destruction. (F. D. C. No. 2201. Sample No. 21042–E.)

This product contained worm and insect fragments.

On June 13, 1940, the United States attorney for the Southern District of Texas filed libels against 264 cases of tomato catsup at Corpus Christi, Tex., alleging that the article had been shipped in interstate commerce on or about May 15, 1940, by the Howard Terminal from Oakland, Calif.; and charging that it was adulterated and misbranded. It was labeled in part: (Bottles) "Red and White Brand Tomato Catsup Red and White Corpn Distributors Chicago."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy substance.

It was alleged to be misbranded in that the statement "Complies with all pure food laws," borne on the neck label, was false and misleading since it was incorrect.

On October 22, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1310. Misbranding of tomato catsup. U. S. v. 250 Cases of Tomato Catsup. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 2356. Sample No. 6284–E.)

Examination showed that this product was short weight.

On July 20, 1940, the United States attorney for the District of Kansas filed a libel against 250 cases of tomato catsup at Goodland, Kans., alleging that the article had been shipped in interstate commerce on or about March 1, 1940, by the Pleasant Grove Canning Co., from Pleasant Grove, Utah; and charging that it was misbranded. The article was labeled in part: (Bottles) "Pleasant Grove Brand Tomato Catsup 14 Ozs. Net Weight."

It was alleged to be misbranded in that the statement "14 Ozs. Net Weight" was false and misleading since it was incorrect; and in that it was in package form and did not bear an accurate statement of the quantity of the contents.

On August 6, 1940, the Pleasant Grove Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be brought into compliance with the law under the supervision of this Agency.

1311. Adulteration of tomato puree. U. S. v. 852 Cartons of Tomato Puree. Product adjudged adulterated and ordered released under bond for segregating and salvaging fit portion. (F. D. C. No. 1839. Sample Nos. 16408–E, 16412–E.)

This product contained excessive mold, indicating the presence of decomposed material.

On May 13, 1940, the United States attorney for the District of Nebraska filed a libel against 852 cartons of tomato puree at Nebraska City, Nebr., alleging that the article had been shipped in interstate commerce on or about February 8, 1940, by the Kaysville Canning Corporation from Barnes, Utah; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On November 12, 1940, the Kaysville Canning Corporation, claimant, having admitted the allegations of the libel, judgment was entered finding the product adulterated and ordering that it be released under bond for segregating and salvaging the fit portion.