Nos. 4839 to 4849 report actions involving tomato products that were adulterated in that they contained mold, indicating the presence of decomposed material.

4839. Adulteration of tomato catsup. U. S. v. 438 Cases and 254 Cases of Tomato Catsup. Default decrees of condemnation and destruction. (F. D. C. Nos. 8919, 9062. Sample Nos. 3532–F, 7418–F.)

On or about November 24, 1942, and January 8, 1943, the United States attorneys for the Eastern District of Wisconsin and the District of Kansas filed libels against 438 cases, each containing 6 cans, of tomato catsup at Green Bay, Wis., and 254 cases, each containing 24 bottles, of catsup at Coffeyville, Kans., alleging that the article had been shipped in interstate commerce on or about September 26 and October 5, 1942, by the Frazier Packing Corporation from Elwood, Ind.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Frazier's Tomato Catsup," (bottles) "Frazier's Superfine Tomato Catsup."

On January 18, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

4840. Adulteration of tomato catsup. U. S. v. 48 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. D. C. No. 9258. Sample No. 22587–F.)

On January 27, 1943, the United States attorney for the Eastern District of Pennsylvania filed a libel against 48 cases, each containing 4 1-gallon bottles, of tomato catsup at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about January 7, 1943, from Quinton, N. J.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On February 16, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4841. Adulteration of tomato paste. U. S. v. John S. Mitchell, Inc. Plea of guilty. Fine, $100. (F. D. C. No. 9680. Sample No. 38216–F.)

On August 19, 1943, the United States attorney for the Southern District of Indiana filed an information against John S. Mitchell, Inc., a corporation, Windfall, Ind., alleging shipment on or about December 4, 1942, from the State of Indiana into the State of Illinois of a quantity of tomato paste that was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Liguria Brand * * * Tomato Paste Packed For Western Food Corporation Chicago, Illinois"

On September 10, 1943, a plea of guilty having been entered on behalf of the defendant, the Court imposed a fine of $100.

4842. Adulteration of tomato paste. U. S. v. 324 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. D. C. No. 9339. Sample No. 38216–F.)

On February 10, 1943, the United States attorney for the Northern District of Illinois filed a libel against 324 cases, each containing 100 cans, of tomato paste at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about December 14, 1942, by John S. Mitchell, Inc. from Greentown, Ind.; and charging that it was adulterated in that it consisted wholly or in part of decomposed tomato material. The article was labeled in part: (Cans) "Liguria Brand Tomato Paste Packed For Western Food Corporation Chicago, Illinois."

On April 6, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4843. Adulteration of tomato paste. U. S. v. 94 Cases of Tomato Paste (and 5 additional seizure actions against tomato paste). Consolidated consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. D. C. Nos. 3495, 3614, 3667, 3780, 3839, 3966. Sample Nos. 21580–E, 22024–E, 36766–E, 46179–E, 46621–E, 46622–E, 47403–E.)

Between December 9, 1940, and March 13, 1941, the United States attorneys for the District of New Jersey, the District of Rhode Island, the Eastern District of New York, the District of Massachusetts, and the Southern District of New York filed libels against 94 cases, each containing 100 cans, of tomato paste at Newark, N. J., 1,486 cases at Georgiaville, R. I., 791 cases at Brooklyn, N. Y., 408 cases at Boston, Mass., 999 cases at Passaic, N. J., and 99 cases at New York City, N. Y., alleging that the article had been shipped in interstate commerce within the period from on or about November 5, 1940, to February 26, 1941, by Flotill Products, Inc.,