

**5049. Adulteration of tomato juice. U. S. v. Francis C. Stokes Co. Plea of guilty. Fine, \$300.** (F. D. C. No. 8837. Sample Nos. 17578-F, 22437-F, 22439-F.)

This product contained mold, indicating the presence of decomposed material. On April 28, 1943, the United States attorney for the District of New Jersey filed an information against the Francis C. Stokes Co., a corporation, at Vincentown, N. J., alleging shipment on or about October 23 and December 1, 1942, from the State of New Jersey into the States of New York and Pennsylvania of a quantity of tomato juice that was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "White Rose \* \* \* Pure Tomato Juice, \* \* \* Seeman Brothers Incorporated, Distributors," or "Stokes \* \* \* Tomato Juice." On July 10, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$300.

**5050. Adulteration of tomato juice. U. S. v. 1,328 Cases of Tomato Juice. Consent decree of condemnation. Product ordered released under bond for segregation and sale of the unfit portion for use in the manufacture of animal feed.** (F. D. C. No. 9423. Sample No. 16139-F.)

On or about March 2, 1943, the United States attorney for the District of Colorado filed a libel against 1,328 cases, each containing 24 cans, of tomato juice at Denver, Colo., which had been shipped by the Fair View Packing Co., Inc., alleging that the article had been shipped in interstate commerce on or about November 14, 1942, from Hollister, Calif.; and charging that it was adulterated in that it consisted in whole or in part of decomposed tomato material, as evidenced by mold. The article was labeled in part: (Cans) "Blue Sky Tomato Juice."

On June 25, 1943, the Fair View Packing Co., Inc., claimant, having admitted that a portion of the product was adulterated as alleged, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated under the supervision of the Food and Drug Administration and sold as animal feed.

**5051. Adulteration of tomato juice. U. S. v. 498 Cases of Tomato Juice. Consent decree of condemnation and destruction.** (F. D. C. No. 9526. Sample No. 38226-F.)

On March 12, 1943, the United States attorney for the Northern District of Illinois filed a libel against 498 cases, each containing 12 bottles, of tomato juice at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 21, 1943, by the Loudon Packing Co. from Saratoga, Ind.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance, decomposed tomato material as evidenced by mold. The article was labeled in part: (Bottle cap) "Good Morning Tomato Juice."

On May 24, 1943, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

**5052. Adulteration of tomato paste. U. S. v. 99 Cases of Tomato Paste. Consent decree of condemnation. Product ordered released under bond to be destroyed or brought into compliance with the law.** (F. D. C. No. 9493. Sample No. 11080-F.)

On March 5, 1943, the United States attorney for the Eastern District of Missouri filed a libel against 99 cases, each containing 48 jars, of tomato paste at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about February 20, 1943, by the Riverbank Canning Co. from Riverbank, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance, viable bacteria and sour, decomposed tomato paste, and in that it consisted in whole or in part of filthy substances, larvae, flies, and beetles. The article was labeled in part: "Madonna Fancy Tomato Paste."

On April 21, 1943, the European Import Corporation of Clayton, St. Louis County, Mo., having appeared as claimant and having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be destroyed or brought into compliance with the law, under the supervision of the Food and Drug Administration.

**5053. Adulteration of tomato paste. U. S. v. 47 Cases and 250 Cases of Tomato Paste. Decrees of condemnation. Product ordered released under bond for segregation and destruction of the unfit portion.** (F. D. C. Nos. 7171, 7172. Sample Nos. 95032-E to 95034-E, incl.)

Examination showed this product to contain decomposed material as evidenced by mold.

On April 10, 1942, the United States attorney for the Western District of Pennsylvania filed libels against a total of 297 cases of tomato paste, each containing 100 cans, at Pittsburgh, Pa., alleging that the article had been shipped in interstate com-

merce on or about March 13, 1942, by the Harcourt Greene Co. from Oakland, Calif.; 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: "Contadina Tomato Paste \* \* \* Packed By Hershel Cal. Fruit Prod. Co. San Jose, Calif."

On June 4, 1943, the Hershel California Fruit Products Co. of San Jose, Calif., claimant, having admitted the allegations of the libel and having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

**5054. Adulteration of tomato paste. U. S. v. 80 Cases of Tomato Paste. Default decree of condemnation and destruction.** (F. D. C. No. 9552. Sample No. 19195-F.)

On March 17, 1943, the United States attorney for the District of New Jersey filed a libel against 80 cases, each containing 100 cans, of tomato paste at West New York, N. J., alleging that the article had been shipped in interstate commerce on or about November 2, 1942, by the Flotill Products, Inc., from Stockton, Calif.; and charging that it was adulterated in that it consisted in whole or in part of decomposed tomato material, as evidenced by mold. The article was labeled in part: (Cans) "Flotta Brand \* \* \* Extra Fancy Concentrated Tomato Paste."

On July 10, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

Nos. 5054 to 5059 report actions involving tomato puree, samples of which were found to contain mold, indicating the presence of decomposed material.

**5055. Adulteration of tomato puree. U. S. v. William Laning & Son Co. Plea of guilty. Fine, \$400.** (F. D. C. No. 8803. Sample Nos. 17993-F, 19530-F, 24126-F, 28134-F.)

On May 11, 1943, the United States attorney for the District of New Jersey filed an information against the William Laning & Son Co., a corporation, at Bridgeton, N. J., alleging shipment within the period from on or about September 2 to October 19, 1942, of a quantity of tomato puree from the State of New Jersey into the States of Florida, Massachusetts, and New York, and the District of Columbia; 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: "Premier \* \* \* Tomato Puree Francis H. Leggett & Co., Distributors, New York," "Silver Lake Brand Whole Tomato Puree," or "Good Year GY M-L Co Inc Tomato Puree \* \* \* Mazo-Lerch Co., Incorporated Distributors Washington, D. C."

On June 11, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$400.

**5056. Adulteration of tomato puree. U. S. v. 498 Cases of Tomato Puree. Default decree of condemnation and destruction.** (F. D. C. No. 9332. Sample No. 6589-F.)

On February 8, 1943, the United States attorney for the Eastern District of Missouri filed a libel against 498 cases, each containing 6 No. 10 cans, of tomato puree at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about September 28, 1942, by the Swayzee Canning Co. from Swayzee, Ind.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On June 15, 1943, the shipper having entered an appearance but subsequently having abandoned its claim, judgment of condemnation was entered and the product was ordered destroyed.

**5057. Adulteration of tomato puree. U. S. v. 38 Cases of Tomato Puree. Default decree of condemnation and destruction.** (F. D. C. No. 9436. Sample No. 9592-F.)

On February 25, 1943, the United States attorney for the Western District of Louisiana filed a libel against 38 cases of tomato puree at Lafayette, La., alleging that the article had been shipped in interstate commerce on or about November 13, 1942, by the Butterfield Canning Co. from Muncie, 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) "Realm \* \* \* Puree of Tomatoes \* \* \* Packed For Household Products Co., Chicago, Ill. By Butterfield Canning Co., Muncie, Ind."

On June 7, 1943, no claimant having appeared; judgment of condemnation was entered and the product was ordered destroyed.

**5058. Adulteration of tomato puree. U. S. v. 50 Cases of Tomato Puree. Default decree of condemnation and destruction.** (F. D. C. No. 9433. Sample No. 38233-F.)

On or about March 5, 1943, the United States attorney for the Northern District of Illinois filed a libel against 50 cases of tomato puree at Chicago, Ill., alleging