

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: May 29, 1946. No claimant having appeared, judgment was entered ordering the product destroyed.

9585. Adulteration of tomato puree and tomato juice. U. S. v. 10 Cases of Tomato Puree and 7½ Cases of Tomato Juice. Default decrees of condemnation and destruction. (F. D. C. Nos. 19127, 19128. Sample Nos. 58166-H, 58168-H.)

LIBELS FILED: February 21, 1946, Western District of Washington.

ALLEGED SHIPMENT: On or about October 31, 1945, by the Mel-Williams Co., from Sonoma, Calif.

PRODUCT: 10 cases, each containing 6 6-pound, 9-ounce cans, of tomato puree and 7½ cases, each containing 12 1-quart, 14-ounce cans, of tomato juice at Seattle, Wash.

LABEL, IN PART: "Tom Tom Tomato Puree Packed by Valley Canning Company Sonoma, California," or "Happy Home - * * * Tomato Juice."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of decomposed substances by reason of the presence of decomposed tomato material.

DISPOSITION: May 31, 1946. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

9586. Misbranding of tomato juice. U. S. v. 258 Cases of Tomato Juice. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19349. Sample No. 29979-H.)

LIBEL FILED: March 15, 1946, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about January 28, 1946, by the United States Products Corporation, Ltd., from Alameda, Calif.

PRODUCT: 258 cases, each containing 6 3-quart cans, of tomato juice at New Orleans, La. Examination showed that a portion of this product, identified by a certain code mark, was tomato puree and not, as labeled, tomato juice.

LABEL, IN PART: "Signet Brand Fancy California Tomato Juice."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation, "Tomato Juice," was false and misleading as applied to tomato puree.

DISPOSITION: April 23, 1946. The United States Products Corporation, Ltd., San Jose, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

9587. Adulteration of canned tomato puree and tomato paste. U. S. v. Sun Garden Packing Co. Plea of guilty. Fine, \$500. (F. D. C. No. 17782. Sample Nos. 6042-H, 11805-H, 28415-H, 28455-H, 29306-H.)

INFORMATION FILED: February 13, 1946, Northern District of California, against the Sun Garden Packing Co., a partnership, San Jose, Calif.

ALLEGED SHIPMENT: Between the approximate dates of November 10, 1944, and January 15, 1945, from the State of California into the States of New York, Massachusetts, Washington, and New Jersey.

LABEL, IN PART: "Red Bow Puree of Tomatoes," or "Green Bow Tomato Paste."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: March 13, 1946. A plea of guilty having been entered, the defendant was fined \$500.

9588. Adulteration of tomato paste and tomato puree. U. S. v. Uddo & Taormina Co. and Vincent G. Taormina. Pleas of guilty. Corporate defendant fined \$300; individual defendant fined \$100 on each of 7 counts, with sentence suspended on count 8, and placed on probation for 2 years. (F. D. C. No. 16529. Sample Nos. 77250-F, 78277-F, 85302-F, 85304-F, 92922-F to 92924-F, incl., 92930-F.)

INFORMATION FILED: October 8, 1945, District of New Jersey, against the Uddo & Taormina Co., a partnership, Vineland, N. J., and Vincent G. Taormina, a member of the partnership.