

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the label of the article failed to contain an accurate statement of the quantity of the contents; Section 403 (h) (1), the article fell below the standard of quality for canned tomatoes with respect to the drained weight; and, Section 403 (h) (2), it fell below the standard of fill of container. The labels failed to bear statements that the article fell below the standard of quality and fill of container.

**DISPOSITION:** September 6, 1946. Thomas Roberts & Co., Philadelphia, Pa., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**11458. Adulteration of tomato catsup. U. S. v. Vincennes Packing Corp. Plea of guilty. Fine, \$350.** (F. D. C. No. 20455. Sample Nos. 21383-H, 25015-H.)

**INFORMATION FILED:** August 3, 1946, Southern District of Indiana, against the Vincennes Packing Corp., Vincennes, Ind.

**ALLEGED SHIPMENT:** On or about January 18 and November 2, 1945, from the State of Indiana into the States of Missouri and Louisiana.

**LABEL, IN PART:** "Alice of Old Vincennes Tomato Catsup," or "Red & White Brand Tomato Catsup Red & White Corp'n, Distributors Chicago."

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

**DISPOSITION:** September 13, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$350.

**11459. Adulteration of tomato paste. U. S. v. Manteca Canning Co., Frank H. Walrond, Edward A. Kent, Anthony L. Escobar, and Kimball Littlejohn. Pleas of guilty. Fines of \$1,000 against the corporation and \$376 against each individual; total fine, \$2,504.** (F. D. C. No. 20437. Sample Nos. 5029-H, 21395-H, 35902-H, 35906-H, 35907-H.)

**INFORMATION FILED:** August 5, 1946, Northern District of California, against the Manteca Canning Co., a corporation, Manteca, Calif.; Frank H. Walrond, president; Edward A. Kent, vice president; Anthony L. Escobar, secretary-treasurer; and Kimball Littlejohn, plant superintendent.

**ALLEGED SHIPMENT:** On or about October 25 and 29, 1945, from the State of California into the States of Pennsylvania and Missouri.

**LABEL, IN PART:** "Mattina Brand Tomato Paste."

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

**DISPOSITION:** September 10, 1946. Pleas of guilty to both counts of the information having been entered on behalf of the defendants, the court imposed a total fine of \$2,504.

**11460. Adulteration of tomato puree. U. S. v. Ensher, Alexander and Barsoom, Inc., and Homer E. Ensher. Pleas of guilty. Fine, \$250.** (F. D. C. No. 20473. Sample No. 20848-H.)

**INFORMATION FILED:** September 12, 1946, Northern District of California, against Ensher, Alexander and Barsoom, Inc., Sacramento, Calif., and Homer E. Ensher, president and general manager of the corporation.

**ALLEGED SHIPMENT:** On or about November 20, 1945, from the State of California into the State of Missouri.

**LABEL, IN PART:** "E and A Brand Fancy Tomato Puree."

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

**DISPOSITION:** October 7, 1946. Pleas of guilty having been entered, the court imposed a fine of \$250 to be paid jointly by the corporation and the individual.

**11461. Adulteration of tomato puree. U. S. v. The Hougland Packing Co., Inc. Plea of guilty. Fine, \$200.** (F. D. C. No. 20474. Sample Nos. 14344-H, 52819-H, 52831-H.)

**INFORMATION FILED:** October 2, 1946, Southern District of Indiana, against the Hougland Packing Co., Inc., Franklin, Ind.

**ALLEGED SHIPMENT:** On or about November 1, 2, and 16, 1945, from the State of Indiana into the States of Kentucky and Tennessee.

**LABEL, IN PART:** "Franklin Tomato Puree Salt Added."

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

**DISPOSITION:** December 4, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$200.

**11462. Adulteration of tomato puree. U. S. v. Mays Packing Co. Plea of guilty. Fine, \$100.** (F. D. C. No. 20459. Sample No. 16066-H.)

**INFORMATION FILED:** August 6, 1946, Southern District of Indiana, against the Mays Packing Co., a corporation, Mays, Ind.

**ALLEGED SHIPMENT:** On or about November 1, 1945, from the State of Indiana into the State of Michigan.

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

**DISPOSITION:** September 6, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$100.

**11463. Adulteration of tomato puree. U. S. v. Pleasant Hill Canning Co. Plea of guilty. Fine, \$200.** (F. D. C. No. 20452. Sample Nos. 35074-H, 35076-H, 35077-H.)

**INFORMATION FILED:** July 30, 1946, Southern District of Ohio, against the Pleasant Hill Canning Co., a partnership, Pleasant Hill, Ohio.

**ALLEGED SHIPMENT:** On or about October 22, 1945, from the State of Ohio into the State of Missouri.

**LABEL, IN PART:** "Tomato Puree \* \* \* Packed by Pleasant Hill Canning Co. Pleasant Hill, Ohio."

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

**DISPOSITION:** August 15, 1946. A plea of guilty having been entered on behalf of the defendant, a fine of \$200 was imposed by the court.

**11464. Adulteration of tomato puree. U. S. v. Kenneth N. Rider Co., Inc. Plea of guilty. Fine, \$250.** (F. D. C. No. 20438. Sample Nos. 14317-H, 14319-H, 14343-H, 14590-H.)

**INFORMATION FILED:** July 24, 1946, Southern District of Indiana, against the Kenneth N. Rider Co., Inc., Trafalgar, Ind.

**ALLEGED SHIPMENT:** Between the approximate dates of September 17 and October 12, 1945, from the State of Indiana into the State of Kentucky.

**LABEL, IN PART:** "Red Gold [or "Trafalgar"] Brand Indiana Tomato Puree."

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

**DISPOSITION:** August 23, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$250.

**11465. Adulteration of tomato puree. U. S. v. 998 Cases \* \* \*. (F. D. C. No. 7932. Sample No. 1403-F.)**

**LIBEL FILED:** July 16, 1942, Western District of Michigan.

**ALLEGED SHIPMENT:** On or about January 10, 1942, from Lebanon, Ind., by the Ladoga Canning Co.

**PRODUCT:** 998 cases, each containing 6 6-pound, 8-ounce cans, of tomato puree at Fremont, Mich.

**LABEL, IN PART:** "Ladoga Brand Tomato Puree."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.