

ALLEGED SHIPMENT: On or about July 23, 1947, by the Alto Canning Co., from Alto, Tex.

PRODUCT: 297 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Lake Charles, La.

LABEL, IN PART: Mr. Gus Tomatoes * * * Packed for Jacksonville Canneries, Jacksonville, Texas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes, since it contained excessive peel and did not bear the substandard legend.

DISPOSITION: May 18, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

13161. Adulteration of tomato catsup. U. S. v. 197 Cases * * * (and 5 other seizure actions). (F. D. C. Nos. 22383, 24426, 24433, 24444, 24455, 24455-A. Sample Nos. 73428-H, 14526-K, 15032-K, 19253-K, 24602-K.)

LIBELS FILED: Between January 14, 1947, and March 1, 1948, District of Minnesota, Western District of Wisconsin, Northern District of Ohio, Northern District of Illinois, and Eastern District of Michigan.

ALLEGED SHIPMENT: Between the approximate dates of November 14, 1946, and January 27, 1948, by the Fettig Canning Corp., from Elwood, Ind., and Carnegie, Pa.

PRODUCT: Tomato catsup. 197 cases, each containing 6 No. 10 cans, at St. Paul, Minn.; 71 cases, 1,750 cases, 550 cases, 49 cases, and 1,200 cases, each containing 24 14-ounce bottles, at Stevens Point, Wis., Cleveland, Ohio, Chicago, Ill., and Flint and Detroit, Mich., respectively.

LABEL, IN PART: "Serve-Well [or "Mary's Choice," or "Vine-Ripe"] Tomato Catsup."

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: Between March 30, 1947, and May 13, 1948. Default decrees of condemnation. With respect to the St. Paul and Stevens Point lots, the decrees provided that the product be denatured and disposed of for purposes other than human consumption; otherwise, that it be destroyed. The remaining lots were ordered destroyed.

13162. Adulteration of tomato catsup. U. S. v. 328 Cases * * *. (F. D. C. No. 24468. Sample No. 15131-K.)

LIBEL FILED: March 8, 1948, Northern District of Illinois.

ALLEGED SHIPMENT: On or about January 26, 1948, by the Montpelier Food Products Corp., from Montpelier, Ind.

PRODUCT: 328 cases, each containing 24 14-ounce bottles, of tomato catsup at Chicago, Ill.

LABEL, IN PART: "Cherry Valley Tomato Catsup."

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 3, 1948. Default decree of condemnation and destruction.

13163. Adulteration and misbranding of tomato puree. U. S. v. North American Canning Co. Plea of nolo contendere. Fine, \$500. (F. D. C. No. 22077. Sample Nos. 90614-H, 90945-H.)

INFORMATION FILED: June 2, 1947, Southern District of Florida, against the North American Canning Co., a corporation, Dania, Fla.

ALLEGED SHIPMENT: On or about December 10, 1946, from the State of Florida into the State of North Carolina.

LABEL, IN PART: "Sun Charm Brand Tomato Puree."