Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The cans were short of the declared weight.) Further misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for tomato puree since it contained less than 8.37 percent of salt-free tomato solids.

DISPOSITION: February 14, 1950. Default decrees of condemnation and destruction.

15890. Adulteration of tomato puree. U. S. v. 21 Cases * * *. (F. D. C. No. 28431. Sample No. 64152–K.)

LIBEL FILED: December 8, 1949, Southern District of Iowa.

ALLEGED SHIPMENT: On or about November 4 and 9, 1949, by the Lomax Canning Co., from Lomax, Ill.

PRODUCT: 21 cases, each containing 6 cans, and each can containing 6 pounds, 8 ounces, of tomato puree at Burlington, Iowa.

LABEL, IN PART: "Mississippi Valley Brand Tomato Puree."

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: February 15, 1950. Default decree of condemnation and destruction.

NUTS AND NUT PRODUCTS

15891. Adulteration of mixed nuts. U. S. v. 10 Bags, etc. (F. D. C. Nos. 28405, 28406. Sample Nos. 43638–K, 43640–K.)

LIBEL FILED: December 5, 1949, Western District of Kentucky.

ALLEGED SHIPMENT: On or about November 4, 1949, by the Robert L. Berner Co., from Chicago, Ill.

PRODUCT: Mixed nuts. 10 25-pound bags and 14 50-pound bags at Owensboro, Ky.

LABEL, IN PART: "Mixed Nuts St. Nick Brand [or "Holiday Brand"]."

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 nuts, and it was otherwise unfit for food by reason of the presence of empty shells.

DISPOSITION: February 9, 1950. Default decree of condemnation and destruction.

15892. Adulteration of brazil nuts. U. S. v. 2 Bags * * *. (F. D. C. No. 28589. Sample No. 61192–K.)

LIBEL FILED: December 20, 1949, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about November 26, 1949, by the Robert L. Berner Co., from Chicago, Ill.

PRODUCT: 2 100-pound bags of brazil nuts at St. Louis, Mo.

LABEL, IN PART: "Holiday Brazil Nuts."