

TOMATOES AND TOMATO PRODUCTS *

16144. Adulteration of canned tomatoes. U. S. v. 149 Cases * * *. (F. D. C. No. 28697. Sample No. 63219-K.)

LIBEL FILED: January 30, 1950, District of Massachusetts.

ALLEGED SHIPMENT: On or about November 11, 1949, by the Orleans County Canning Co., from Albion, N. Y.

PRODUCT: 149 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Boston, Mass.

LABEL, IN PART: "Johnson's Bestovall Salt Free Tomatoes."

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 8, 1950. Default decree of condemnation and destruction.

16145. Misbranding of canned tomatoes. U. S. v. 288 Cases, etc. (F. D. C. No. 28845. Sample Nos. 65504-K, 65505-K.)

LIBEL FILED: March 3, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about December 30, 1949, and January 4, 1950, by the Diegel Canning Co., Wapakoneta, Ohio.

PRODUCT: 387 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Chicago, Ill.

LABEL, IN PART: "Lady Clare [or "Oh Boy"] Brand * * * Red Ripe Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for canned tomatoes since it contained added calcium salts, and its label failed to declare the presence of added calcium salts, as required by the definition and standard.

DISPOSITION: May 1, 1950. The shipper having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled, under the supervision of the Food and Drug Administration.

16146. Adulteration of tomato catsup. U. S. v. 126 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 28920, 28921. Sample Nos. 70947-K, 70951-K.)

LIBELS FILED: March 24, 1950, District of Kansas.

ALLEGED SHIPMENT: On or about February 9, 1950, by the Frazier Packing Corp., from Elwood, Ind.

PRODUCT: Tomato catsup. 126 cases at Wichita, Kans., and 65 cases at Arkansas City, Kans. Each case contained 24 14-ounce bottles.

LABEL, IN PART: "Sante Fe Hot 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 17, 1950. Default decrees of condemnation and destruction.

*See also Nos. 16102-16104.