

the peas in the container were more than 23.5 percent, and the label failed to bear the statement that the product fell below the standard.

DISPOSITION: June 7, 1950. Stokely-Van Camp, Inc., claimant, having admitted the allegations of the libel, 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.

16444. Adulteration of canned pumpkin. U. S. v. 240 Cases * * *. (F. D. C. No. 28962. Sample No. 43262-K.)

LIBEL FILED: April 11, 1950, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about March 2, 1950, by the C. D. Kenny Co., from Columbus, Ohio.

PRODUCT: 240 cases, each containing 6 1-pound, 13-ounce cans, of pumpkin at Blissfield, Mich.

LABEL, IN PART: "Kenny's Golden Pumpkin."

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

DISPOSITION: June 9, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

TOMATOES AND TOMATO PRODUCTS*

16445. Adulteration of canned tomatoes. U. S. v. 119 Cases * * *. (F. D. C. No. 29281. Sample No. 48746-K.)

LIBEL FILED: June 20, 1950, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about March 28, 1950, by the Violet Packing Co., From Williamstown, N. J.

PRODUCT: 119 cases, each containing 24 cans, of tomatoes at Wilkes-Barre, Pa.

LABEL, IN PART: (Can) "Topper Tomatoes Contents 1 Lb. 12 Oz."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of fly eggs and maggots.

DISPOSITION: July 21, 1950. Default decree of condemnation and destruction.

16446. Adulteration and misbranding of tomato puree. U. S. v. Akin Food Products Co., Inc., and Harold L. Akin. Pleas of guilty. Fine of \$200 against corporation; fine of \$100 against individual defendant suspended, and defendant placed on probation for 5 years. (F. D. C. No. 29143. Sample Nos. 54286-K, 54310-K.)

INFORMATION FILED: April 28, 1950, Southern District of Texas, against Akin Food Products Co., Inc., Mission, Tex., and Harold L. Akin, president.

ALLEGED SHIPMENT: On or about September 23, 1949, from the State of Texas into the State of Louisiana.

LABEL, IN PART: "Val-Tex Brand 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.

*See also Nos. 16404-16408.

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: May 8, 1950. Pleas of guilty having been entered, the corporation was fined \$200. A fine of \$100 against the individual defendant was suspended, and this defendant was placed on probation for 5 years.

SPICES, FLAVORS, AND SEASONING MATERIALS

16447. Adulteration of paprika. U. S. v. 1 Barrel * * *. (F. D. C. No. 29221. Sample No. 72722-K.)

LIBEL FILED: May 10, 1950, Southern District of Ohio.

ALLEGED SHIPMENT: On or about July 4, 1949, from Lebanon, Ind.

PRODUCT: 1 120-pound barrel of paprika at Washington Court House, Ohio.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 19, 1950. Default decree of destruction.

16448. Adulteration of barbecue sauce. U. S. v. 372 Cases * * *. (F. D. C. No. 29255. Sample No. 72723-K.)

LIBEL FILED: May 29, 1950, Southern District of Ohio.

ALLEGED SHIPMENT: On or about February 2, 1949, from Lebanon, Ind.

PRODUCT: 372 cases, each containing 24 No. 1 cans, of barbecue sauce at Washington Court House, Ohio.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of its chemical decomposition. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 19, 1950. Default decree of destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

16449. Adulteration and misbranding of vitamin-mineral capsules. U. S. v. 26 Bottles * * *. (F. D. C. No. 29017. Sample No. 48732-K.)

LIBEL FILED: March 21, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 28, 1948, from Brooklyn, N. Y. Analysis showed that the product was approximately 70 percent deficient in vitamin B₁ (thiamine chloride).

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B₁, had been in part omitted from the article.

Misbranding, Section 403 (a), the label statement "Each Capsule Contains * * * Thiamine Chloride (B₁) 10.0 mg." was false and misleading as applied to an article which contained less than the stated amount of thiamine chloride.

The article was adulterated and misbranded in the above respects while held for sale after shipment in interstate commerce.