

DISPOSITION: November 27, 1951. Default decree of condemnation and destruction.

17933. Adulteration of canned sauerkraut. U. S. v. 308 Cases * * *.
(F. D. C. No. 31883. Sample No. 6923-L.)

LIBEL FILED: October 10, 1951, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about July 11 and August 6, 1951, by the Crawford Sauerkraut Co., from Canandaigua, N. Y.

PRODUCT: 308 cases, each containing 24 1-pound, 11-ounce cans, of sauerkraut at Altoona, Pa.

LABEL, IN PART: (Can) "A&P Sauerkraut Grade A."

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 flies, maggots, and other insects, and insect eggs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 1, 1951. Default decree of condemnation and destruction.

TOMATOES AND TOMATO PRODUCTS

17934. Adulteration of canned tomatoes. U. S. v. 97 Cases * * *. (F. D. C. No. 30875. Sample Nos. 27919-L, 27927-L.)

LIBEL FILED: On or about April 10, 1951, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about March 15, 1951, by Flotill Products, Inc., from Stockton, Calif.

PRODUCT: 97 cases, each containing 6 6-pound, 6-ounce cans, of tomatoes at New Orleans, La.

LABEL, IN PART: (Can) "La Gustosa Brand * * * Unpeeled Plum Tomatoes."

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

DISPOSITION: December 27, 1951. Default decree of condemnation and destruction.

17935. Misbranding of canned tomatoes. U. S. v. 1,505 Cases * * *. (F. D. C. No. 31784. Sample No. 18246-L.)

LIBEL FILED: October 15, 1951, District of Arizona.

ALLEGED SHIPMENT: On or about June 28, 1951, by the Meyer Canning Co., from Edinburg, Tex.

PRODUCT: 1,505 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Phoenix, Ariz.

LABEL, IN PART: (Can) "Gold Inn Brand Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes because of excessive peel, and the label failed to bear a statement that the article fell below the standard.

DISPOSITION: December 18, 1951. The Meyer Canning Co. having appeared as claimant, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.