

**ALLEGED SHIPMENT:** On or about September 17, 1951, by Woodruff Canning Co., Inc., from Goldsmith, Ind.

**PRODUCT:** 183 cases, each containing 6 6-pound, 6-ounce cans, of tomatoes at Hancock, Mich.

**LABEL, IN PART:** (Can) "Indiana Brand Tomatoes."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of fly eggs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** March 28, 1952. Default decree of condemnation. The court ordered that the product be delivered to a county institution, for use as animal feed.

**18388. Adulteration of canned tomatoes. U. S. v. 45 Cases, etc. (F. D. C. No. 31744. Sample Nos. 5629-L, 5630-L.)**

**LABEL FILED:** October 2, 1951, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about September 29 and October 10, 1950, from Naples, Italy.

**PRODUCT:** 72 cases, each containing 48 1-pound, 1-ounce cans, of tomatoes at Somerville, Mass.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. Examination disclosed that the product was decomposed. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** February 13, 1952. C. Carbone & Co., Inc., Somerville, Mass., having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration. Of the 2,370 cans of the product which were seized, 242 cans were destroyed.

**18389. Adulteration of tomato catsup. U. S. v. 178 Cases \* \* \*. (F. D. C. No. 32142. Sample Nos. 35487-L, 35488-L.)**

**LABEL FILED:** November 28, 1951, Western District of Wisconsin.

**ALLEGED SHIPMENT:** On or about September 24, 1951, by Sweetser Packing Co., Inc., from Sweetser, Ind.

**PRODUCT:** Tomato catsup. 178 cases, each containing 12 14-ounce bottles, and 458 cases, each containing 6 7-pound cans, at Baraboo, Wis.

**LABEL, IN PART:** "Sweetser."

**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:** January 21, 1952. Default decree of forfeiture and destruction.

**18390. Adulteration of tomato catsup. U. S. v. 548 Cases, etc. (F. D. C. No. 31738. Sample Nos. 3491-L, 3492-L.)**

**LABEL FILED:** September 27, 1951, Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about August 28, 1951, by Hunt Foods, Inc., from Bridgeton, N. J.

**PRODUCT:** Tomato catsup. 548 cases, each containing 24 14-ounce bottles, and 23 cases, each containing 6 7-pound cans, at Newport News, Va.

**LABEL, IN PART:** (Can) "Hunt's 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:** January 25, 1952. Default decree of condemnation and destruction.

**18391. Adulteration of tomato paste. U. S. v. 853 Cases \* \* \* (and 1 other seizure action). (F. D. C. Nos. 32466, 32473. Sample Nos. 3226-L, 3345-L.)**

**LIBELS FILED:** On January 28 and on or about January 31, 1952, Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about May 11, 1951, by Flotill Products, Inc., from New York, N. Y.

**PRODUCT:** 2,445 cases, each containing 6 9-pound, 15-ounce cans, of tomato paste at Richmond, Va.

**LABEL, IN PART:** (Can) "La Romanella Tomato Paste \* \* \* Gabriele Gambardella & Figlia Italia" or "Colombo Brand Tomato Paste Product of Italy."

**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:** April 4, 1952. Default decrees of condemnation. The court ordered that 1,592 cases be delivered to a public institution and that 853 cases be delivered to a charitable institution. The intact cans were to be used for animal feed, and the ruptured or otherwise unfit cans were to be destroyed.

**18392. Adulteration of tomato paste. U. S. v. 173 Cases, etc. (F. D. C. Nos. 31855 to 31857, incl. Sample Nos. 22974-L, 22978-L, 22979-L.)**

**LIBEL FILED:** October 4, 1951, Northern District of New York.

**ALLEGED SHIPMENT:** On or about January 18, 1951, from Salerno, Italy.

**PRODUCT:** 173 cases, each containing 12 6-pound cans, of tomato paste at Schenectady, N. Y., and 94 cases, each containing 12 6-pound cans, of tomato paste at Syracuse, N. Y.

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

**DISPOSITION:** November 14, 1951. Default decree of condemnation and destruction.

## NUTS

**18393. Adulteration of brazil nuts. U. S. v. 440 Bags \* \* \* (F. D. C. No. 31949. Sample No. 37193-L.)**

**LIBEL FILED:** October 26, 1951, District of New Jersey.

**ALLEGED SHIPMENT:** On or about August 26, 27, and 28, 1951, from Brazil.

**PRODUCT:** 440 100-pound bags of brazil nuts at Jersey City, N. J.