

PRODUCT: 216 cases, each containing 6 6-pound, 9-ounce cans, of peas at Atlanta, Ga.

LABEL, IN PART: (Can) "Sunbrite Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned peas since the peas were excessively mealy and the label failed to bear a statement that the product fell below the standard.

DISPOSITION: February 10, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution.

20129. Adulteration of canned okra dinner. U. S. v. 44 Cases \* \* \*. (F. D. C. No. 34519. Sample No. 22255-L.)

LABEL FILED: January 5, 1953, Northern District of Texas.

ALLEGED SHIPMENT: On or about October 11, 1952, by Evangeline Pepper & Food Products, Inc., from St. Martinville, La.

PRODUCT: 44 cases, each containing 24 14-ounce cans, of okra dinner at Dallas, Tex.

LABEL, IN PART: (Can) "Bulliard's Evangeline Brand Okra Dinner."

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

DISPOSITION: February 11, 1953. Default decree of condemnation and destruction.

#### TOMATOES AND TOMATO PRODUCTS

20130. Adulteration and misbranding of canned tomatoes. U. S. v. 1,996 Cases \* \* \*. (F. D. C. No. 34149. Sample No. 36552-L.)

LABEL FILED: November 19, 1952, Southern District of Indiana.

ALLEGED SHIPMENT: On or about September 8, 1952, by Albert W. Sisk & Son, from Milford, Del.

PRODUCT: 1,996 cases, each containing 24 unlabeled cans, of tomatoes at Indianapolis, Ind.

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 maggots, and of a decomposed substance by reason of the presence of decomposed tomato material.

Misbranding, Section 403 (e) (1) and (2), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 403 (g) (2), the product purported to be and was represented as canned tomatoes, a food for which a definition and standard of identity has been prescribed by regulations, and it failed to bear a label containing the name of the food; and, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes since it contained excessive peel and the label failed to bear a statement that the product fell below the standard.

DISPOSITION: April 3, 1953. The sole intervener having consented to the entry of a decree, judgment of condemnation and destruction was entered.

20131. Adulteration of canned tomatoes. U. S. v. 1,200 Cases \* \* \*. (F. D. C. No. 34150. Sample No. 44341-L.)

LABEL FILED: On or about December 3, 1952, District of Rhode Island.