& Co., Inc., had no proprietary interest in the proceedings in the instant case or in the other cases mentioned, or in the product involved. The court denied also, on September 8, 1952, a similar motion for intervention in the proceedings reported in notices of judgment on food, No. 20136, and for consolidation of such proceedings with those in the instant case, which motion had been filed by B. Dorman & Sons, Brooklyn, N. Y., and L. N. White & Co., Inc., and based its denial on the ground that such parties had no proprietary interest in such proceedings or in the product involved.

On October 16, 1952, it appearing that no appearance had been entered by any party by way of claim or answer, the court entered a default decree of condemnation and destruction.

**20136. Adulteration of tomato paste. U. S. v. 5,391 Cans * * *.** (F. D. C. No. 32562. Sample Nos. 35770–L, 35771–L.)

LIBEL FILED: March 5, 1952, Southern District of Ohio.

ALLEGED SHIPMENT: On or about April 23, 1951, by B. Dorman & Sons, from Brooklyn, N. Y.

PRODUCT: 5,391 cans of tomato paste at Columbus, Ohio.

LABEL, IN PART: (Can) "Tomato Paste Dry Extract 28%—1950 Produce of France Nett Weight ab. lbs. 10 oz. 2" and "Tomato Paste 1950 Halisco 28% Dry Extract Produce of France Nett Weight about 10 Lbs. 2 Oz."

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

DISPOSITION: July 23, 1952. Default decree of destruction.

**20137. Adulteration of tomato paste. U. S. v. 307 Cases, etc.** (F. D. C. No. 32417. Sample Nos. 26923–L, 26924–L.)

LIBEL FILED: January 28, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about May 23, 1951, by L. N. White & Co., Inc., from Jersey City, N. J.

PRODUCT: 977 cases, each containing 10 9-pound, 15-ounce cans, of tomato paste at Stockton, Calif.

LABEL, IN PART: (Can) "C. C. I. E.–P & Cie Tomato Paste Produce of France."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: June 12, 1952. Default decree of condemnation and destruction.

## NUTS

**20138. Adulteration of unshelled almonds. U. S. v. 13 Bags * * * (and 1 other seizure action).** (F. D. C. Nos. 34411, 34434. Sample Nos. 54087–L, 54089–L.)

LIBELS FILED: December 10 and 17, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about November 7 and 14, 1952, by the Harter Packing Co., from Yuba City, Calif.

PRODUCT: 71 80-pound bags of unshelled almonds at Chicago, Ill.

LABEL, IN PART: "Sable Brand California IXL Almonds."