

**20176. Adulteration of dried black-eyed peas. U. S. v. 303 Bags \* \* \*. (F. D. C. No. 34679. Sample No. 59148-L.)**

**LABEL FILED:** On or about February 27, 1953, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about August 21, 1952, from Cuba.

**PRODUCT:** 303 100-pound bags of dried black-eyed peas at Seffner, Fla.

**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 and insect parts. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** April 14, 1953. 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**

**20177. Adulteration and misbranding of canned tomatoes. U. S. v. 2,043 Cases \* \* \*. (F. D. C. No. 34206. Sample No. 56524-L.)**

**LABEL FILED:** November 6, 1952, Middle District of Tennessee.

**ALLEGED SHIPMENT:** On or about September 12 and 22, 1952, by Robbins Bros., from Preston, Md.

**PRODUCT:** 2,043 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Clarksville, Tenn.

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

**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.

**Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes since the article contained excessive peel and the label failed to bear a statement that the article fell below such standard.**

**DISPOSITION:** March 26, 1953. Default decree of destruction.

**20178. Adulteration of canned tomatoes. U. S. v. 858 Cases \* \* \*. (F. D. C. No. 34267. Sample No. 44177-L.)**

**LABEL FILED:** December 1, 1952, Western District of Oklahoma.

**ALLEGED SHIPMENT:** On or about October 11, 1952, by the Galena Canning Co., from Galena, Mo.

**PRODUCT:** 858 cases, each containing 24 1-pound cans, of tomatoes at Oklahoma City, Okla.

**LABEL, IN PART:** (Can) "Belle Isle 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 maggots; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** April 16, 1953. The sole intervener having consented to the entry of a decree, judgment of condemnation and destruction was entered. Destruction was effected by feeding the tomatoes to hogs.