

DISPOSITION: July 2, 1953. Carlton Clifton & Sons, Prime Hook, Del., claimant, 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 the segregation of the good portion from the bad and for the relabeling of the good portion, under the supervision of the Department of Health, Education, and Welfare. 13 cases of the product were found unfit and were destroyed and the remainder relabeled.

20331. Misbranding of canned tomatoes. U. S. v. 1,047 Cases * * *. (F. D. C. No. 34673. Sample No. 46884-L.)

LIBEL FILED: February 18, 1953, Northern District of Alabama.

ALLEGED SHIPMENT: On or about January 21, 1953, by Homestead Canning Co., Inc., from Homestead, Fla.

PRODUCT: 1,047 cases, each containing 24 cans, of tomatoes at Birmingham, Ala.

LABEL, IN PART: (Can) "Homestead Brand Contents 1 Lb. Select Quality Tomatoes."

NATURE OF CHARGE: Misbranding, 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; and, Section 403 (e) (2), a portion of the product failed to bear a label containing an accurate statement of the quantity of the contents. (This portion of the product was short weight.)

DISPOSITION: March 18, 1953. The shipper having appeared as claimant, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Federal Security Agency.

20332. Adulteration of tomato juice. U. S. v. 948 Cases * * *. (F. D. C. No. 34298. Sample No. 56536-L.)

LIBEL FILED: December 13, 1952, Eastern District of Tennessee.

ALLEGED SHIPMENT: On or about September 20 and 30, 1952, by Charles R. Ubelhart & Co., from Louisville, Ky.

PRODUCT: 948 cases, each containing 12 1-quart, 14-ounce cans, of tomato juice at Newport, Tenn.

LABEL, IN PART: (Can) "Brunson Selected Indiana Tomato Juice Packed in U. S. A. By Brunson Canning Co. Alexandria, Ind."

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: August 28, 1953. Default decree of condemnation and destruction.

20333. Adulteration of tomato juice. U. S. v. 374 Cases * * *. (F. D. C. No. 34273. Sample No. 4606-L.)

LIBEL FILED: On or about December 9, 1952, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about September 5, 1952, by Charles R. Ubelhart & Co., from Louisville, Ky.

PRODUCT: 374 cases, each containing 12 1-quart, 14-ounce cans, of tomato juice at Huntington, W. Va.

LABEL, IN PART: (Can) "Teen Queen Brand * * * Tomato Juice."