

it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 27, 1953. Default decree of condemnation and destruction.

20439. Adulteration and misbranding of canned black-eyed peas. U. S. v. 97 Cases * * *. (F. D. C. No. 34796. Sample No. 53205-L.)

LIBEL FILED: On or about April 9, 1953, Western District of Missouri.

ALLEGED SHIPMENT: On or about February 10, 1953, by the Good Canning Co., from Fort Smith, Ark.

PRODUCT: 97 cases, each containing 6 cans, of black-eyed peas at Springfield, Mo.

LABEL, IN PART: "Contents 1 Lb. 3 Oz. G. D. M. Brand Fresh Shelled Blackeye Peas."

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 worms.

Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Contents 1 Lb. 3 Oz." was inaccurate. (Each can of the article contained 7 pounds.)

DISPOSITION: May 22, 1953. Default decree of destruction.

20440. Adulteration of canned mustard greens. U. S. v. 21 Cases * * * and 1 other seizure action). (F. D. C. Nos. 34727, 34728. Sample Nos. 42474-L, 43218-L.)

LIBELS FILED: March 5, 1953, Northern District of California.

ALLEGED SHIPMENT: On or about November 26 and December 8, 1952, by the Akin Products Co., from Mission, Tex.

PRODUCT: 419 cases, each containing 24 1-pound cans, of mustard greens at San Francisco, Calif.

LABEL, IN PART: (Can) "Val-Tex Mustard Greens."

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 aphids and larvae.

DISPOSITION: May 8, 1953. Default decrees of condemnation and destruction.

TOMATOES AND TOMATO PRODUCTS

20441. Adulteration of canned tomatoes. U. S. v. 724 Cases * * *. (F. D. C. No. 34287. Sample No. 53429-L.)

LIBEL FILED: December 8, 1952, Southern District of Illinois.

ALLEGED SHIPMENT: On or about September 20, 1952, by Thomas Roberts & Co., Inc., from Philadelphia, Pa.

PRODUCT: 724 cases, each containing 24 cans, of tomatoes at Petersburg, Ill.

RESULTS OF INVESTIGATION: Inspection of the Brown Canning Co., Woodside, Del., manufacturer of the product, showed that insanitary conditions existed which would result in contamination of the article manufactured.

LABEL, IN PART: (Can) "Pride of the Farm Brand Contents 1 Lb. 3 Oz. 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, and of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: April 28, 1954. The consignee of the product having filed an answer to the libel and later having withdrawn the answer, judgment of condemnation was entered and the court ordered that the product be destroyed.

20442. Misbranding of canned tomatoes. U. S. v. 1,148 Cases * * *. (F. D. C. No. 34680. Sample No. 67100-L.)

LIBEL FILED: February 24, 1953, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 13, 1952, by Robbins Bros., from Andrews, Md.

PRODUCT: 1,148 cases, each containing 24 1-pound cans, of tomatoes at Philadelphia, Pa.

LABEL, IN PART: (Can) "Nancy Belle Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes because of excessive peel, and the label failed to bear a statement that the article fell below such standard.

DISPOSITION: April 15, 1953. Robbins Brothers, 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 relabeling under the supervision of the Department of Health, Education, and Welfare.

20443. Misbranding of canned tomatoes. U. S. v. 548 Cases * * *. (F. D. C. No. 34618. Sample No. 66937-L.)

LIBEL FILED: January 23, 1953, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 12, 1952, by the Silverbrook Food Corp., from Wilmington, Del.

PRODUCT: 548 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Shenandoah, Pa.

LABEL, IN PART: (Can) "Lucky Dutchman * * * 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, as required by regulations, a statement that the product fell below such standard.

DISPOSITION: May 5, 1953. The shipper, 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 to be relabeled under the supervision of the Food and Drug Administration.

20444. Misbranding of canned tomatoes. U. S. v. 49 Cases * * *. (F. D. C. No. 32986. Sample No. 13024-L.)

LIBEL FILED: March 28, 1952, District of New Mexico.

ALLEGED SHIPMENT: On or about September 8, 1951, by the Marshall Canning Co., from McAllen, Tex.

PRODUCT: 49 cases, each containing 48 cans, of tomatoes at Albuquerque, N. Mex.

LABEL, IN PART: (Can) "Renown Brand Tomatoes Contents 10 Oz. Avoir. Packed by St. Clair Foods Co., Ltd., McAllen, Texas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes since the article failed