

the product was adulterated as alleged in the libel, judgment of condemnation was entered and the court ordered that the product be destroyed.

20485. Adulteration of tomato puree. U. S. v. 267 Cases * * *. (F. D. C. No. 34882. Sample No. 44945-L.)

LIBEL FILED: On or about March 25, 1953, District of Rhode Island.

ALLEGED SHIPMENT: On or about January 7, 1953, by the Uddo & Taormina Co., from Buena Park, Calif.

PRODUCT: 267 cases, each containing 24 cans, of tomato puree at Providence, R. I.

LABEL, IN PART: (Can) "Progresso Brand * * * Tomato Puree * * * Contents 1 Lb. 12 Oz."

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 23, 1953. Upon motion of the shipper, judgment of condemnation was entered and the court ordered that the product be destroyed.

20486. Adulteration of tomato puree. U. S. v. 9 Cases * * *. (F. D. C. No. 34789. Sample No. 73019-L.)

LIBEL FILED: March 30, 1953, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 30, 1952, by the Uddo & Taormina Co., from Vineland, N. J.

PRODUCT: 9 cases, each containing 48 10½-ounce cans, of tomato puree at Hazleton, Pa.

LABEL, IN PART: (Can) "Mountain Beauty * * * Tomato Puree."

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.

DISPOSITION: May 14, 1953. Default decree of condemnation and destruction.

NUTS

20487. Adulteration of unshelled almonds and dried lima beans. U. S. v. 13 Bags, etc. (F. D. C. No. 35019. Sample Nos. 61342-L, 61343-L.)

LIBEL FILED: May 4, 1953, District of Nebraska.

ALLEGED SHIPMENT: On or about August 25, 1949, and November 29, 1951, from Oakland and Oxnard, Calif.

PRODUCT: 13 100-pound bags of unshelled almonds and 35 100-pound bags of dried lima beans at Grand Island, Nebr., in the possession of the Donald Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of rodent excreta in both articles, rodent-gnawed nuts in the almonds, and rodent urine in the lima beans; and, Section 402 (a) (4), the articles had been held under insanitary conditions whereby they may have become contaminated with filth. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 28, 1953. The Donald Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond to be brought into compliance