

INFORMATION FILED: April 28, 1953, District of New Jersey, against Julius Paley, trading as Colony Foods, Vineland, N. J., and Abe Kaikow, manager.

ALLEGED SHIPMENT: On or about September 16 and 22, 1952, from the State of New Jersey into the State of Pennsylvania.

LABEL, IN PART: "Stricklers' Dove Brand Sweet Relish * * * Charles Strickler & Sons Distributors Philadelphia" and "Arleen Brand Fancy Sweet India Relish * * * Distributed by Arleen Products Philadelphia Penna."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of fly eggs and maggots; and, Section 402 (a) (4), the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 20, 1953. Pleas of guilty having been entered, the court imposed a fine of \$200 against Defendant Paley and \$100 against Defendant Kaikow and placed each defendant on probation for 2 years.

TOMATOES AND TOMATO PRODUCTS

20638. Adulteration of canned tomatoes. U. S. v. 959 Cases * * *. Tried to the court. Decision for the Government. Decree of condemnation and destruction. (F. D. C. No. 34478. Sample No. 7981-L.)

LIBEL FILED: December 10, 1952, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 29, 1952, by the Brown Canning Co., from Woodside, Del.

PRODUCT: 959 cases, each containing 24 cans, of tomatoes at Pittsburgh, Pa.

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 decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: Miles A. Brown, trading as the Brown Canning Co., claimant, filed an answer denying that the product was adulterated, as alleged in the libel. The case came on for trial before the court on December 9, 1953, and was concluded on the same day, with a finding by the court that the product contained a decomposed substance and was adulterated. The court entered a decree of condemnation and destruction on December 9, 1953.

20639. Adulteration of tomato puree and pizza sauce. U. S. v. Delta Food Packers, Inc. Plea of guilty. Fine, \$250. (F. D. C. No. 33833. Sample Nos. 3721-L, 24821-L.)

INFORMATION FILED: January 29, 1953, District of New Jersey, against Delta Food Packers, Inc., doing business at Hammonton and Winslow, N. J.

ALLEGED SHIPMENT: On or about February 8 and 25, 1952, from the State of New Jersey into the State of Virginia and the District of Columbia.

LABEL, IN PART: (Can) "Pocahontas Fancy Tomato Puree * * * Distributed by Taylor & Sledd, Inc. Richmond, Va." and "Village Tower * * * Pizza Sauce Made from Whole Red Ripe Tomatoes Packed By Delta Food Packers, Inc. Winslow, New Jersey."

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 fly eggs and

maggots; and, Section 402 (a) (4), the articles had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: November 20, 1953. The defendant having entered a plea of guilty, the court fined it \$250.

NUTS

20640. Adulteration of shelled peanuts. U. S. v. Farmers Cotton & Peanut Co., Inc., and Ellis J. Broughton. Pleas of not guilty. Tried to the court. Verdict of guilty for corporation and verdict of not guilty for individual. Fine of \$150 against corporation. (F. D. C. No. 35178. Sample No. 57836-L.)

INFORMATION FILED: October 1, 1953, Eastern District of North Carolina, against Farmers Cotton & Peanut Co., Inc., Plymouth, N. C., and Ellis J. Broughton, secretary and treasurer of the corporation.

ALLEGED SHIPMENT: On or about April 8, 1953, from the State of North Carolina into the State of Virginia.

NATURE OF CHARGE: Adulteration, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: Pleas of not guilty having been entered by the defendants, the case came on for trial before the court without a jury on October 28, 1953. At the conclusion of the trial, the court returned a verdict of guilty against the corporation and a verdict of not guilty against the individual. On October 28, 1953, the court imposed a fine of \$150 against the corporation.

20641. Adulteration of shelled peanuts. U. S. v. 82 Bags * * *. (F. D. C. No. 34008. Sample Nos. 54735-L, 54736-L.)

LIBEL FILED: October 10, 1952, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about August 13 and September 6, 1952, by the Southern Cotton Oil Co., from Cordele, Ga.

PRODUCT: 82 125-pound bags of shelled peanuts at Detroit, Mich.

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 insect-infested peanuts, and of a decomposed substance by reason of the presence of decomposed peanuts.

DISPOSITION: December 11, 1953. The Southern Cotton Oil Co., Atlanta, Ga., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be subject to disposition by the Government. The product was delivered to a Federal institution, for use as stock feed.

OILS AND FATS

20642. Action to enjoin and restrain the interstate shipment of adulterated soybean oil. U. S. v. Southern Cotton Oil Co. and W. V. Westmoreland. Consent decree of permanent injunction entered. (Inj. No. 262.)

COMPLAINT FILED: April 7, 1953, Eastern District of North Carolina, against the Southern Cotton Oil Co., a corporation, Hertford, N. C., and W. V. Westmoreland, district manager of the corporation.