

DISPOSITION: July 30, 1953. The libel actions having been consolidated and Southland Frozen Foods, 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 segregation and destruction of the unfit portion. As a result of the segregation operations, 790 cases were found unfit and were destroyed.

TOMATOES AND TOMATO PRODUCTS

20775. Adulteration of canned tomatoes. U. S. v. 946 Cases * * *. (F. D. C. No. 34245. Sample No. 53433-L.)

LIBEL FILED: November 21, 1952; libel amended June 8, 1953, Southern District of Illinois.

ALLEGED SHIPMENT: On or about September 22, 1952, by Thomas Roberts & Co., from Woodside, Del.

PRODUCT: 946 cases, each containing 24 cans, of tomatoes at Springfield, Ill.

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. William Frasco and Elvira Egisii, trading as the Italian American Import Co., having intervened and prayed to have the entry of a decree temporarily withheld, which was done, and thereafter having failed to show just cause for further delay in the entry of a decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

20776. Adulteration of tomato puree. U. S. v. 71 Cases * * *. (F. D. C. No. 35006. Sample Nos. 14334-L, 14335-L.)

LIBEL FILED: April 23, 1953, District of Colorado.

ALLEGED SHIPMENT: On or about March 23, 1951, from Nogales, Ariz.

PRODUCT: 71 cases, each containing 6 6-pound, 5-ounce cans, of tomato puree at Denver, Colo. Examination showed that the product had undergone chemical decomposition.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: June 16, 1953. Default decree of condemnation and destruction.

20777. Adulteration of tomato puree. U. S. v. 46 Cases * * *. (F. D. C. No. 35007. Sample No. 14334-L.)

LIBEL FILED: April 23, 1953, District of Colorado.

ALLEGED SHIPMENT: On or about March 23, 1951, from Nogales, Ariz.

PRODUCT: 46 cases, each containing 6 6-pound, 5-ounce cans, of tomato puree at Denver, Colo. Examination showed that the article had undergone chemical decomposition.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.