

LABEL IN PART: (Can) "RED Gold BRAND INDIANA TOMATO JUICE * * *
DISTRIBUTED BY KENNETH N. RIDER CO., INC., TRAFALGAR,
INDIANA."

LIBELED: 12-28-62, E. Dist. Ky.

CHARGE: 402(a) (3)—contained decomposed tomato material when shipped.

DISPOSITION: 1-30-63. Default—destruction.

28872. Tomato ketchup. (F.D.C. No. 48706. S. No. 15-946 V.)

QUANTITY: 36 cases, each containing 6 7-lb. 3-oz. cans, at Cincinnati, Ohio.

SHIPPED: 9-24-62 and 10-30-62, from Muncie, Ind., by HLH Products.

LABEL IN PART: (Can) "Niehaus Red Label Tomato Ketchup Distributors
Niehaus Bros. Cincinnati 14, Ohio."

LIBELED: 2-18-63, S. Dist. Ohio.

CHARGE: 402(a) (3)—contained *Drosophila* fly eggs and maggots, and decomposed tomato material when shipped.

DISPOSITION: 4-17-63. Default—destruction.

28873. Spaghetti sauce (tomato product). (F.D.C. No. 47885. S. Nos. 55-668/9 T.)

INFORMATION FILED: 12-29-62, N. Dist. N.Y., against Ventre Packing Co., Inc., Syracuse, N.Y.

SHIPPED: On 2-28-62, from Syracuse, N.Y., to Linden, N.J.

LABEL IN PART: (Jar) "Enrico's Spaghetti Sauce or ["Enrico's Spaghetti Sauce With Mushrooms"] Net Wt. 1 lb. 13 oz. A product of Ventre Packing Co., Syracuse, New York."

CHARGE: 403(e) (2)—when shipped, the label of the article failed to bear an accurate statement of the quantity of the contents, since its label represented that each jar contained 1 lb. 13 oz. whereas each jar contained less than 1 lb. 13 oz.

PLEA: Guilty.

DISPOSITION: 1-21-63. Fined \$500.

28874. Spaghetti sauce (tomato product). (F.D.C. No. 47877. S. Nos. 14-328 T, 41-352 T.)

INFORMATION FILED: 11-27-62, W. Dist. N.Y., against S. Gumpert Co., Inc., Ontario, N. Y., and Leonard Gminski, plant manager.

SHIPPED: Between 11-9-61 and 11-22-61, from Ontario, N.Y., to Chicago, Ill., and Jersey City, N.J.

LABEL IN PART: (Can) "Gumpert's Supreme Brand Spaghetti Sauce Net Contents 1 Quart Made in U.S.A. by S. Gumpert Co., Inc., Jersey City, N.J."
"Gumpert's Spaghetti Sauce Contents 3 Quarts Made in U.S.A. by S. Gumpert Co., Inc., Jersey City, N.J."

CHARGE: 402(a) (3)—when shipped, contained insects, insect fragments, maggot and fly eggs; and 402(a) (4)—prepared and packed under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 3-25-63. Corporation—\$1,000 fine; Gminski—\$500 fine.