

## TOMATOES AND TOMATO PRODUCTS

**29567. Canned tomatoes.** (F.D.C. No. 46671. S. Nos. 8-398 R, 96-828 R.)

**INFORMATION FILED:** 2-6-62 and 3-11-63, Dist. N.J., against Pappas Bros. & Gillies Co., Inc., Egg Harbor City, N.J., and Thomas J. Pappas, secretary-treasurer.

**SHIPPED:** 1-31-61 and 4-3-61, from New Jersey to Pennsylvania.

**LABEL IN PART:** (Can) "Sexton \* \* \* Tomatoes Net Weight 6 lbs. 6 ozs. Distributed by John Sexton & Co. Chicago, Ill."

**CHARGE:** 402(a)(3)—both lots contained fly eggs and maggots; and 402(a)(4)—one lot was prepared under insanitary conditions.

**PLEA:** Guilty by the corporation to 2 counts; by Pappas to 1 count.

**DISPOSITION:** 12-6-62. Corporation—\$500 fine, and probation for 3 years. 4-19-63. Pappas—1 day in the custody of the marshal.

**29568. Canned tomatoes.** (F.D.C. No. 50054. S. No. 32-425 A.)

**QUANTITY:** 138 cases, each containing 24 1-lb. cans, at Paris, Ill.

**SHIPPED:** 3-13-64, from Morristown, Ind., by Morristown Canning Co., Inc.

**LABEL IN PART:** (Can) "Morristown Tomatoes \* \* \* Packed By Morristown Canning Co., Inc., Morristown, Ind."

**LIBELED:** 4-23-64, E. Dist. Ill.

**CHARGE:** 403(h)(1)—when shipped, the quality of the article fell below the standard of quality for canned tomatoes since the article contained tomato peel per pound of canned tomatoes in the container which covered an area of more than one square inch.

**DISPOSITION:** 5-13-64. Default—ordered delivered to charitable or nonprofit-making organizations, or destroyed.

**29569. Canned tomatoes.** (F.D.C. No. 49998. S. No. 25-447 A.)

**QUANTITY:** 996 cases, containing 24 cans each, at Franklin Park, Ill.

**SHIPPED:** 3-19-64, from Morristown, Ind., by Morristown Canning Co., Inc.

**LABEL IN PART:** (Can) "Silver Cup \* \* \* Tomatoes Net Wt. 1 Lb. \* \* \* Packed for Central Grocers Cooperative, Inc. Franklin Park, Ill."

**LIBELED:** 4-28-64, N. Dist. Ill.

**CHARGE:** 403(h)(1)—when shipped, the quality of the article fell below the standard of quality for canned tomatoes due to excessive peel.

**DISPOSITION:** 5-15-64. Default—delivered to a charitable institution.

**29570. Tomato paste.** (F.D.C. No. 50139. S. No. 79-755 A.)

**QUANTITY:** 398 cases, each containing 96 6-oz. cans, at Elizabeth, N.J.

**SHIPPED:** 3-30-64, from Buena Park, Calif.

**RESULTS OF INVESTIGATION:** Examination showed that the article was undergoing progressive chemical decomposition.

**LIBELED:** On or about 5-14-64, Dist. N.J.

**CHARGE:** 402(a)(3)—contained a decomposed substance while held for sale.

**DISPOSITION:** 6-24-64. Default—destruction.