

465. Adulteration of rabbits. U. S. v. 90 Baskets of Rabbits. Default decree of condemnation and destruction. (F. D. C. No. 1316. Sample No. 46913-D.)

On January 11, 1940, the United States attorney for the Northern District of Illinois filed a libel against 90 baskets of rabbits at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 2, 1940, by Lodenberg Produce from Wyaconda, Mo.; and charging that it was adulterated in that it was in whole or in part a product of diseased animals.

On February 7, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be converted into fertilizer.

NUTS AND NUT PRODUCTS

Nos. 466 to 468 report the seizure and disposition of nuts that were in interstate commerce when examined and were found to be in part moldy, decomposed, and worm- or insect-damaged at that time.

466. Adulteration of shelled walnuts. U. S. v. 11 Cases of Shelled Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 1232. Sample No. 74880-D.)

On December 26, 1939, the United States attorney for the District of Minnesota filed a libel against 11 cases, each containing 25 pounds of shelled walnuts, at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about October 25, 1939, by the Pacific Coast Nut House from San Jose, Calif.; and charging adulteration in that it consisted in whole or in part of a filthy and decomposed substance.

On February 10, 1940, no claimant having appeared, a decree of condemnation and forfeiture was entered and the product was ordered destroyed.

467. Adulteration of walnut halves. U. S. v. 104 Cartons of Shelled Walnuts. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. D. C. No. 1334. Sample No. 85616-D.)

On January 11, 1940, the United States attorney for the Southern District of New York filed a libel against 104 cartons of walnut halves at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about December 13, 1939, by Graessle & Flaherty from El Monte, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance. The article was labeled in part: "California Shelled Walnuts T. M. Duche & Sons, Inc. Boston New York Chicago."

On February 8, 1940, T. M. Duche & Sons, Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that the unfit nuts be removed by hand picking and destroyed.

468. Adulteration of black walnuts. U. S. v. 191 Bags of Black Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 1076. Sample No. 68071-D.)

On November 24, 1939, the United States attorney for the Southern District of New York filed a libel against 191 bags of black walnuts in the shell at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 29, 1937, by L. Demartini from San Francisco, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance.

On December 12, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

469. Adulteration of almonds in shell. U. S. v. 45 Sacks of Almonds. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 1289. Sample No. 73129-D.)

This product was in interstate commerce at the time of examination and was found to contain wormy, moldy, and gummy nuts at that time.

On or about January 8, 1940, the United States attorney for the Western District of Washington filed a libel against 45 sacks of almonds in shell at Tacoma, Wash., alleging that the article had been shipped in interstate commerce on or about October 14, 1939, by Rosenberg Bros. & Co. from Oakland, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, or was otherwise unfit for food. It was labeled in part: "Ensign Brand California I X L Almonds."

On January 29, 1940, the Kelley-Clarke Co., Tacoma, Wash., having appeared as claimant and having consented to the entry of a decree, judgment of con-