

**8640. Adulteration of walnut halves and pieces. U. S. v. The L. Demartini Co. Plea of guilty. Fine, \$100. (F. D. C. No. 16578. Sample No. 29152-H.)**

**INFORMATION FILED:** September 14, 1945, Northern District of California, against the L. Demartini Company, a corporation, San Francisco, Calif.

**ALLEGED SHIPMENT:** On or about February 12, 1945, from the State of California into the State of Colorado.

**LABEL, IN PART:** "West Owl Brand Shelled Walnut Halves & Pieces."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of larvae, insect excreta and webbing, and moldy or decomposed nut meats.

**DISPOSITION:** October 4, 1945. A plea of guilty having been entered on behalf of the defendant, a fine of \$100 was imposed.

**8641. Adulteration of shelled walnuts. U. S. v. 49 Cartons of Shelled Walnuts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16772. Sample No. 27658-H.)**

**LIBEL FILED:** July 3, 1945, Western District of Washington.

**ALLEGED SHIPMENT:** On or about May 4, 1945, by the Consolidated Nut Co., from Los Angeles, Calif.

**PRODUCT:** 49 cartons, each containing 25 pounds, of shelled walnuts at Seattle, Wash.

**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 rodent hairs and insect-infested walnut meats; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** September 12, 1945. The Consolidated Nut Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law by sorting and segregation under the supervision of the Food and Drug Administration.

**8642. Adulteration of shelled walnuts and almonds. U. S. v. 8 Cartons of Shelled Walnuts and 13 Bags of Shelled Almonds. Decrees of condemnation. Walnuts ordered destroyed; almonds ordered released under bond. (F. D. C. Nos. 15988, 17211. Sample Nos. 17151-H, 25423-H.)**

**LIBELS FILED:** May 1 and September 11, 1945, District of Idaho and Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about February 14 and May 29, 1945, by the Davis Nut Shelling Co., from Los Angeles, Calif.

**PRODUCT:** 8 25-pound cartons of shelled walnuts and 13 160-pound bags of shelled almonds at Idaho Falls, Idaho, and Chicago, Ill., respectively.

**LABEL, IN PART:** "Davis-Pakt Shelled Walnuts Standard Amber Halves and Pieces," or "Shelled Almonds Nonpareil."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the walnuts consisted in whole or in part of filthy and decomposed substances by reason of the presence of worm-damaged and moldy walnuts, and the almonds consisted in whole or in part of a filthy substance by reason of the presence of larvae and insect-damaged almonds.

**DISPOSITION:** September 28 and October 12, 1945. The National Candy Co., Inc., having appeared as claimant for the almonds, and having admitted the facts set forth in the libel, and no claimant having appeared for the walnuts, judgments of condemnation were entered. The almonds were ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration, and the walnuts were ordered destroyed.

### SPICES, FLAVORS, AND SEASONING MATERIALS

**8643. Adulteration of sesame seed. U. S. v. Richard J. Spitz. Tried to a jury. Verdict of guilty. Fine, \$1,000. (F. D. C. No. 15491. Sample Nos. 50653-F, 50654-F.)**

**INFORMATION FILED:** May 17, 1945, Southern District of New York, against Richard J. Spitz, a partnership, New York, N. Y.

**ALLEGED SHIPMENT:** On or about January 10 and 28, 1944, from the State of New York into the State of Pennsylvania.