

11806. Adulteration of tomato puree. U. S. v. 48 Cases * * *. (F. D. C. No. 22487. Sample No. 41241-H.)

LIBEL FILED: February 6, 1947, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about September 24, 1946, by the Finer Foods Packing Corp., from Terre Haute, Ind.

PRODUCT: 48 cases, each containing 6 No. 10 cans, of tomato puree at St. Louis, Mo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: April 4, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

NUTS AND NUT PRODUCTS

11807. Adulteration of brazil nuts. U. S. v. 43 Bags * * * (and 6 other seizure actions). (F. D. C. Nos. 21302, 21303, 21310 to 21313, incl., 21604. Sample Nos. 1497-H to 1500-H, incl., 54901-H, 54902-H.)

LIBELS FILED: October 24, 25, and 28, and November 1, 1946, Northern District of Georgia.

ALLEGED SHIPMENT: On or about October 1, 1946, by Hudson, Duncan & Co., from New York, N. Y.

PRODUCT: 444 100-pound bags of brazil nuts at Atlanta, Ga. Examination showed that the product contained moldy and decomposed nuts, and that a portion of it was insect-infested.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance and (portion) of a filthy substance.

DISPOSITION: November 13, 1946. Hudson, Duncan & Co., Portland, Oreg., claimant, having consented to the entry of a decree, the cases were consolidated. Judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

11808. Adulteration of peanuts and mixed nuts. U. S. v. Harry P. Ritchie (Harry P. Ritchie Co.). Plea of nolo contendere. Fine, \$800. Defendant placed on probation for 1 year. (F. D. C. No. 21504. Sample Nos. 70624-H, 70625-H.)

INFORMATION FILED: January 15, 1947, Southern District of California, against Harry P. Ritchie, trading as the Harry P. Ritchie Co., Los Angeles, Calif.

ALLEGED SHIPMENT: On or about August 6, 1946, from the State of California into the State of Colorado.

LABEL, IN PART: "Salted Mogul (WB) Peanuts Fresh Ritchie's Nuts," or "Royal Mix Fresh Ritchie's Nuts."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of insects, larvae, insect fragments, and mites; and, Section 403 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: February 24, 1947. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$800 on count 1, suspended sentence on the remaining count, and placed the defendant on probation for 1 year.

11809. Adulteration of peanuts. U. S. v. 35 Bags * * * (and 1 other seizure action). (F. D. C. Nos. 21044, 21332. Sample Nos. 53341-H, 57471-H.)

LIBELS FILED: September 25 and October 16, 1946, District of Massachusetts and Southern District of Ohio.

ALLEGED SHIPMENT: On or about January 25 and February 12, 1946, by the Sebrell Peanut Co., from Courtland, Va.

PRODUCT: 35 100-pound bags of peanuts in the shell at Boston, Mass., and 27 100-pound bags of the same product at Cincinnati, Ohio. Examination showed that the product was insect-infested and that, in addition, the Cincinnati lot was decomposed.