

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

LABEL 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.)

LABELS 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.)

LABELS 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.

LABEL, IN PART: "Hand Picked Fancy Virginia Peanuts."

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

DISPOSITION: November 15, 1946, and January 2, 1947. The Titus & Martin Co., Cincinnati, Ohio, and the Boston Peanut Roasting Co., Boston, Mass., claimants, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond. It was ordered that the Boston lot be reconditioned by the sorting and picking out of all objectionable material, and that the Cincinnati lot be denatured and converted into stock feed, under the supervision of the Food and Drug Administration.

11810. Adulteration of shelled peanuts. U. S. v. 406 Bags * * *. (F. D. C. No. 20791. Sample Nos. 65548-H, 65553-H.)

LABEL FILED: September 9, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about July 20, 1946, from Suffolk, Va., by D. Goldenberg, Inc.

PRODUCT: 406 115-pound bags of shelled peanuts at Philadelphia, Pa.

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 moldy peanuts.

DISPOSITION: September 13, 1946. D. Goldenberg, Inc., 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 portion be segregated and denatured, or destroyed, under the supervision of the Food and Drug Administration.

11811. Adulteration of shelled Spanish peanuts. U. S. v. 200 Bags * * *. (F. D. C. No. 20902. Sample No. 60243-H.)

LABEL FILED: September 19, 1946, Western District of New York.

ALLEGED SHIPMENT: On or about November 21, 1945, by Rose City Foods, from Thomasville, Ga.

PRODUCT: 200 120-pound bags of shelled Spanish peanuts at Rochester, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects and excreta.

DISPOSITION: January 3, 1947. A claim having been entered for the product, judgment of condemnation was entered. It was ordered that the product be released under bond, conditioned that the portions that were wholly bad be segregated from those that required reconditioning and from those that were good. It was further ordered that the claimant destroy the bad, and fumigate, sift, and hand-pick that portion that might be made good by such means, under the supervision of the Food and Drug Administration.

11812. Adulteration of pecan meats. U. S. v. Louis D. Acker (Acker Pecan & Produce Co.), and George M. Bacon. Pleas of nolo contendere. Fines of \$200 against each defendant; both defendants placed on probation for 3 years. (F. D. C. No. 21502. Sample Nos. 992-H, 42824-H, 42859-H.)

INFORMATION FILED: December 17, 1946, Middle District of Georgia, against Louis D. Acker, trading as the Acker Pecan & Produce Co., Albany, Ga., and George M. Bacon, plant manager.

ALLEGED SHIPMENT: On or about March 26, April 20, and July 15, 1946, from the State of Georgia into the States of Florida, Maryland, and Virginia.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance by reason of the presence of moldy, rancid, and otherwise decomposed pecan meats, and a portion consisted in part of a filthy substance by reason of the presence of insects.

DISPOSITION: February 5, 1947. Pleas of nolo contendere having been entered by the defendants, the court imposed a fine of \$200 against each defendant on count 1 and placed the defendants on probation for a period of 3 years on counts 2 and 3.