

PRODUCT: 320 bags, each containing 100 pounds, of peanuts at Fresno, Calif.

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.

The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 8, 1949. David der Hairbedian, trading as David & Sons, of Fresno, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

On January 9 and March 6, 1950, orders were entered extending the time for completion of the reconditioning operations. As a result of these operations, during which the good nuts were separated from the bad, 17,300 pounds of nuts that were fit for human consumption were salvaged, and the remainder of the seized goods, 13,900 pounds, was denatured.

15997. Adulteration of pecans. U. S. v. 55 Bags * * * (and 3 other seizure actions). (F. D. C. Nos. 28381, 28382, 28384, 28433. Sample Nos. 50396-K, 50397-K, 51071-K, 64616-K.)

LIBELS FILED: November 28 and 29 and December 9, 1949, Western District of Washington, District of Oregon, and District of Minnesota.

ALLEGED SHIPMENT: On or about September 15 and October 3, 1949, by the Consolidated Pecan Sales Co., from Albany, Ga.

PRODUCT: Pecans. 205 50-pound bags at Seattle, Wash., 100 100-pound bags at Portland, Oreg., and 187 cases, each containing 25 1-pound bags, at Minneapolis, Minn.

LABEL, IN PART: "King Cole * * * Papershell Pecans."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy, rancid, and otherwise decomposed pecans.

DISPOSITION: December 23 1949, and January 10 and 31, 1950. The Consolidated Pecan Sales Co. appeared as claimant in all cases, and the Seattle cases were consolidated. The claimant having consented to the entry of decrees, judgments of condemnation were 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. Salvaging operations resulted in the segregation and destruction of approximately 12.5% of the seized nuts.

15998. Adulteration of walnuts. U. S. v. 12 Cases, etc. (F. D. C. No. 28282. Sample Nos. 56681-K, 56682-K.)

LIBEL FILED: November 18, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about December 14, 1948, by Niayesh & Co., from Iran.

PRODUCT: Walnuts. 12 55-pound cases and 9 33-pound cases at New York, 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 insect-infested nuts.

DISPOSITION: February 3, 1950. The Fulton Trading & Commission Co., New York, N. Y., agent for the Isthmian Steamship Co., claimant, having con-

sented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for salvaging of the fit portion, under the supervision of the Food and Drug Administration. Segregation operations resulted in the destruction of 30 pounds of the product.

15999. Adulteration of mixed nuts. U. S. v. 600 Cases * * *. (F. D. C. No. 28377. Sample No. 13996-K.)

LIBEL FILED: November 23, 1949, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 31, 1949, by The Great A & P Tea Co., from New York, N. Y.

PRODUCT: 600 cases, each containing 25 1-pound bags, of mixed nuts at Scranton, Pa.

LABEL, IN PART: "Sun-Glo Extra Fancy Mixed Nuts * * * Packed By Wm. A. Higgins & Co., Inc., New York, N. Y."

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 and otherwise decomposed brazil nuts.

DISPOSITION: December 29, 1949. Wm. A. Higgins & Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration. The segregation operations were completed on or about April 13, 1950, and resulted in the destruction of 300 pounds of the 1,725 pounds of brazil nuts which were included in the 6,075 pounds of mixed nuts which were seized.

16000. Adulteration of desiccated coconut. U. S. v. 10 Bags * * *. (F. D. C. No. 27888. Sample No. 60553-K.)

LIBEL FILED: October 5, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 27, 1949, from Milwaukee, Wis.

PRODUCT: 10 80-pound bags of desiccated coconut at Chicago, Ill.

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 insect fragments. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 18, 1950. Default decree of condemnation and destruction.

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