

16147. Misbranding of tomato puree. U. S. v. 36 Cases * * *. (F. D. C. No. 28939. Sample No. 54490-K.)

LIBEL FILED: April 5, 1950, Western District of Louisiana.

ALLEGED SHIPMENT: On or about June 27, 1949, by the Akin Products Co., Mission, Tex.

PRODUCT: 36 cases, each containing 100 4 $\frac{3}{4}$ -ounce cans, of tomato puree at Lake Charles, La.

LABEL, IN PART: "Val-Tex Brand Tomato Puree."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for tomato puree since it contained less than 8.37 percent of salt-free tomato solids.

DISPOSITION: May 15, 1950. Default decree of condemnation and destruction.

NUTS

16148. Adulteration of brazil nuts and cashew nuts. U. S. v. 450 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 28399, 28414. Sample Nos. 13998-K, 32549-K.)

LIBELS FILED: December 1 and 7, 1949, Middle District of Pennsylvania and Northern District of California.

ALLEGED SHIPMENT: On or about July 26 and November 15, 1949, by Wm. A. Higgins & Co., Inc., from New York, N.Y.

PRODUCT: 450 25-pound bags of brazil nuts at Forty Fort, Pa., and 42 25-pound tins of cashew nuts at San Francisco, Calif.

LABEL, IN PART: "Holly Extra Large Washed Brazil Nuts," "Shelled Cashew Nuts Packed by A. Thangalkunja Musaliar & Sons, Ltd., Quilon," "Packed By Shanmuk Havila Factory Quilon India," or "Packed By The Southern India Cashew Company Kunduras I. Blanched Cashew Nuts."

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

DISPOSITION: December 29, 1949, and January 20, 1950. Wm. A. Higgins & Co., Inc., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the products were ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. Segregation operations resulted in the salvage of 10,686 pounds of brazil nuts and 964 pounds of cashew nuts. The unfit portion was denatured.

16149. Adulteration of pecans. U. S. v. 4 Bags * * * (and 1 other seizure action). (F. D. C. Nos. 28630, 28631. Sample Nos. 43715-K, 72036-K.)

LIBELS FILED: January 6, 1950, Southern District of Ohio.

ALLEGED SHIPMENT: On or about December 10, 1949, by C. L. Ballard, from Luverne, Ala.