

DISPOSITION: March 29, 1951. Pleas of guilty having been entered, the court fined each defendant \$250 on count 1, suspended the imposition of sentence against the corporation on counts 2 and 3, dismissed counts 2 and 3 against the individual defendant, and placed the corporation on probation for 3 years and the individual defendant for 2 years.

17142. Adulteration of tomato puree. U. S. v. 214 Cases * * *. (F. D. C. No. 29839. Sample No. 81472-K.)

LIBEL FILED: On or about October 25, 1950, District of New Jersey.

ALLEGED SHIPMENT: On or about September 25, 1950, by the Penn's Manor Canning Co., from Bristol, Pa.

PRODUCT: 214 cases, each containing 6 6-pound, 9-ounce cans, of tomato puree at Atlantic City, N. J.

LABEL IN PART: (Can) "Marine Brand Tomato Puree."

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.

DISPOSITIONS January 31, 1951. Default decree of condemnation and destruction.

NUTS

17143. Adulteration of mixed nuts. U. S. v. 35 Bags * * *. (F. D. C. No. 30212. Sample No. 85019-K.)

LIBEL FILED: December 14, 1950, Western District of Kentucky.

ALLEGED SHIPMENT: On or about October 27, 1950, by S & W Fine Foods, Inc., from Modesto, Calif.

PRODUCT: 35 50-pound bags of mixed nuts at Louisville, Ky.

LABEL, IN PART: "Selected Fancy Mixed Nuts Packed By Redwood Food Packing Co., San Francisco, Calif."

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 insect-infested filberts, and it was otherwise unfit for food by reason of the presence of empty filbert shells.

DISPOSITION: February 7, 1951. S & W Fine Foods, Inc., 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 Federal Security Agency. A total of 256 pounds of unfit nuts was segregated and destroyed.

17144. Misbranding of pistachio nuts. U. S. v. 80 Cases * * *. (F. D. C. No. 30339. Sample No. 92124-K.)

LIBEL FILED: December 12, 1950, District of New Jersey.

ALLEGED SHIPMENT: On or about November 28, 1950, by Wm. M. Allison & Co., from New York, N. Y.

PRODUCT: 80 cases, each containing 24 packages, of pistachio nuts at Delawanna, Clifton, N. J.

LABEL, IN PART: (Package) "Regency Brand Pistachio Nuts Net Wt. $\frac{1}{4}$ Lb." The net weight statement " $\frac{1}{4}$ Lb." was overprinted with the statement " $3\frac{1}{2}$ Oz.," but the first statement remained conspicuous, while the overprint was inconspicuous.