

NUTS AND NUT PRODUCTS

19041. Adulteration of unshelled walnuts and almonds. U. S. v. 22 Bags, etc.
(F. D. C. No. 33080. Sample Nos. 48563-L to 48567-L, incl.)

LIBEL FILED: April 16, 1952, Southern District of Iowa.

ALLEGED SHIPMENT: On or about October 31, November 20, and December 6, 1951, from Los Angeles, Calif.

PRODUCT: 52 bags, each containing 100 pounds, and 14 bags, each containing 25 pounds, of unshelled walnuts, and 8 bags, each containing 25 pounds, of unshelled almonds at Burlington, Iowa, in possession of the Lagomarcina-Grupe Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of rodent-gnawed nuts; and, Section 402 (a) (4), they had been held under insanitary conditions whereby they may have become contaminated with filth. The products were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 28, 1952. The Lagomarcina-Grupe Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration. 151 pounds of unfit nuts were segregated and destroyed.

19042. Adulteration of shelled walnuts. U. S. v. 4 Cartons * * *. (F. D. C. No. 33093. Sample No. 48956-L.)

LIBEL FILED: April 26, 1952, District of Minnesota.

ALLEGED SHIPMENT: During 1950, from the State of California.

PRODUCT: 4 cartons, each containing 25 pounds, of shelled walnuts at Minneapolis, Minn.

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

DISPOSITION: May 21, 1952. The shipper and consignee of the product having consented to its destruction, the court ordered that the product be denatured and disposed of for use as animal feed.

19043. Adulteration of peanut butter and misbranding of preserves. U. S. v. J. F. Garvey Co., a corporation, and George W. Mechling. Pleas of nolo contendere. Corporation fined \$260; individual defendant fined \$65. (F. D. C. No. 31579. Sample Nos. 9546-L, 13597-L to 13600-L, incl., 13670-L, 31961-L.)

INFORMATION FILED: May 2, 1952, District of Nebraska, against the J. F. Garvey Co., Lincoln, Nebr., and George W. Mechling, president.

ALLEGED SHIPMENT: Between the approximate dates of January 26 and November 17, 1951, from the State of Nebraska into the States of Illinois, Missouri, and Colorado.