

19584. Adulteration of tomato juice. U. S. v. 89 Cases * * *. (F. D. C. No. 34430. Sample No. 8257-L.)

LIBEL FILED: December 13, 1952, Northern District of West Virginia.

ALLEGED SHIPMENT: On or about October 17, 1952, by H. C. Hemingway & Co., from Clyde, N. Y.

PRODUCT: 89 cases, each containing 12 1-quart, 14-ounce cans, of tomato juice at Wheeling, W. Va.

LABEL, IN PART: (Can) "IGA * * * Tomato Juice."

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: January 13, 1953. Default decree of condemnation and destruction.

NUTS AND NUT PRODUCTS

19585. Adulteration of mixed nuts. U. S. v. 86 Cases * * *. (F. D. C. No. 34483. Sample No. 40949-L.)

LIBEL FILED: December 19, 1952, Western District of Washington.

ALLEGED SHIPMENT: On or about November 19, 1952, by S & W Fine Foods, Inc., from Portland, Oreg.

PRODUCT: 86 cases, each containing 24 1-pound bags, of mixed nuts at Seattle, Wash.

LABEL, IN PART: "S and W * * * Mixed Nuts Walnuts, Almonds, Brazils, Filberts, Pecans."

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-damaged nuts, and of a decomposed substance by reason of the presence of moldy nuts; and the article was otherwise unfit for food by reason of the presence of gummy nuts.

DISPOSITION: January 14, 1953. 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 for segregation of the unfit portion, under the supervision of the Federal Security Agency.

As a result of the segregation operations, it was found that all pecans, consisting of 170 pounds in the shell, were fit for human consumption and that all brazil nuts, consisting of 180 pounds, were unfit. The filberts were hand sorted, with the result that 191 pounds of these nuts in the shells were found to be good and 3 pounds were found to be bad. The almonds and walnuts, consisting of 220 pounds and 367 pounds, respectively, were shelled, with the result that 146 pounds of walnut meats and 77 pounds of almond meats were found to be good and 11 pounds of walnut meats and 29 pounds of almond meats were found to be bad.

19586. Adulteration of cashew nuts. U. S. v. 64 Cases * * *. (F. D. C. No. 34486. Sample No. 56838-L.)

LIBEL FILED: December 15, 1952, Northern District of Ohio.

ALLEGED SHIPMENT: On or about June 19, 1952, from New York, N. Y.

PRODUCT: 64 cases, each containing 2 25-pound cans, of cashew nuts at Cleveland, Ohio.

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 insects and insect fragments. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 14, 1953. William A. Higgins & Co., Inc., New York, N. Y., claimant, having admitted the facts as set forth in the libel, 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.

As a result of salvaging operations, 28 pounds of cashew nuts were found unfit and were destroyed.

19587. Adulteration of shelled peanuts. U. S. v. 46 Bags * * *. (F. D. C. No. 34580. Sample No. 35883-L.)

LIBEL FILED: February 6, 1953, Western District of Kentucky.

ALLEGED SHIPMENT: On or about November 12, 1952, from Suffolk, Va.

PRODUCT: 46 100-pound bags of shelled peanuts at Louisville, Ky., in the possession of Shedd-Bartush Foods, Inc.

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 rodent pellets and rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 28, 1953. Shedd-Bartush 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 for the segregation and the destruction of the unfit portion, under the supervision of the Federal Security Agency. 33 bags of the product were found unfit and were denatured.

19588. Adulteration of peanut butter. U. S. v. 10 Cases * * *. (F. D. C. No. 34489. Sample No. 14639-L.)

LIBEL FILED: December 17, 1952, District of Colorado.

ALLEGED SHIPMENT: On or about October 21 and 24, 1952, by Portales Valley Mills, Inc., from Portales, N. Mex.

PRODUCT: 10 cases, each containing 24 8-ounce jars, of peanut butter at Denver, Colo.

LABEL, IN PART: (Jar) "Pito's Homogenized Peanut Butter."

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 parts; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 2, 1953. Default decree of condemnation and destruction.

19589. Misbranding of peanut butter. U. S. v. 130 Cartons * * *. (F. D. C. No. 34413. Sample No. 37087-L.)

LIBEL FILED: December 9, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about October 21 and 22, 1952, by Lummis & Co., from Philadelphia, Pa.