

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.