

20235. Adulteration of dressed poultry. U. S. v. 211 Pounds, etc. (F. D. C. No. 34939. Sample Nos. 45254-L, 45255-L.)

LIBEL FILED: April 20, 1953, District of Rhode Island.

ALLEGED SHIPMENT: On or about March 19, 1953, from Boston, Mass., by Thorndike & Gerrish, Inc.

PRODUCT: Dressed poultry. 211 pounds in 3 crates and 148 pounds in 2 crates at Providence, R. I.

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 birds which were contaminated with fecal matter; and, Section 402 (a) (5), the article was in whole or in part the product of an animal which had died otherwise than by slaughter.

DISPOSITION: May 5, 1953. Default decree of condemnation and destruction.

20236. Adulteration of dressed poultry. U. S. v. 225 Pounds * * *. (F. D. C. No. 34881. Sample No. 49558-L.)

LIBEL FILED: March 11, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about February 23, 1953, by the Fort Halifax Packing Co., from Winslow, Maine.

PRODUCT: 225 pounds of dressed poultry in 4 crates at New York, N. Y.

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 birds which were contaminated with fecal matter; and, Section 402 (a) (5), it was in part the product of a diseased animal.

DISPOSITION: April 28, 1953. Default decree of condemnation. The court ordered that a portion of the product be delivered to the Food and Drug Administration and that the remainder be destroyed.

NUTS AND NUT PRODUCTS

20237. Adulteration of unshelled almonds and brazil nuts. U. S. v. 10 Bags, etc. (and 1 other seizure action). (F. D. C. Nos. 34403, 34404. Sample Nos. 14471-L to 14473-L, incl.)

LIBELS FILED: December 10, 1952, District of Colorado.

ALLEGED SHIPMENT: On or about November 3, 1952, by the Sunset-Sternau Food Co., from Modesto, Calif.

PRODUCT: 10 80-pound bags of unshelled almonds and 13 100-pound bags of unshelled brazil nuts at Denver, Colo.

LABEL, IN PART: (Bag) "California Almonds IXL Sunset Brand Nuts" and "Large Medium Brazil Nuts."

NATURE OF CHARGE: Almonds. 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 almonds, and of a decomposed substance by reason of the presence of moldy almonds; and it was otherwise unfit for food by reason of the presence of gummy almonds.

Brazil nuts. 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 brazil nuts, and of a decomposed substance by reason of the presence of moldy and otherwise decomposed brazil nuts; and it was otherwise unfit for food by reason of the presence of rancid brazil nuts and empty shells.

DISPOSITION: February 9, 1953. The Sunset-Sternau Food Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the products be released under bond for segregation of the unfit portions, under the supervision of the Federal Security Agency. The almonds were shelled and sorted, with the result that 20 pounds of nut meats were found unfit and were destroyed. Segregation of the brazil nuts was attempted but was unsuccessful, and, accordingly, all of these nuts were denatured.

20238. Adulteration of cashew nuts. U. S. v. 18 Cases * * *. (F. D. C. No. 34646. Sample No. 23312-L.)

LIBEL FILED: February 2, 1953, Southern District of New York.

ALLEGED SHIPMENT: From India.

PRODUCT: 18 cases, each containing 2 25-pound tins, of cashew nuts at New York, N. Y.

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, insect webbing, and insect excreta. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 20, 1953. Manhattan Nut Co., Inc., New York, N. Y., 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 and destruction of the unfit portion, under the supervision of the Federal Security Agency. As a result of the segregation operations, 135 pounds of the nuts were found unfit and were destroyed.

20239. Adulteration of cashew nuts. U. S. v. 3 Boxes, etc. (F. D. C. No. 34569. Sample No. 14307-L.)

LIBEL FILED: January 26, 1953, District of Colorado.

ALLEGED SHIPMENT: On or about January 3, 1953, by the Admiral Vending Co., from Los Angeles, Calif.

PRODUCT: 3 boxes, each containing 6 5-pound cartons, and 1 box, containing 2 5-pound cartons of cashew nuts at Englewood, Colo.

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, insect fragments, and insect-infested nuts.

DISPOSITION: March 16, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as hog feed.

20240. Adulteration of raw peanuts. U. S. v. 150 Bags * * *. (F. D. C. No. 34588. Sample No. 66700-L.)

LIBEL FILED: January 7, 1953, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 25, 1952, by the Dixie Peanut Co., from Fitzgerald, Ga.

PRODUCT: 150 bags, each containing 150 pounds, of raw peanuts at Philadelphia, Pa.

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 insect-infested peanuts.