On April 5, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

NUTS AND NUT PRODUCTS

4676. Misbranding of salted almonds. U. S. v. 4 Cases, 241 7/12 Cases, and 19 Cartons of Salted Almonds. Consent decrees of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. Nos. 8996, 9030 to 9038, incl. Sample Nos. 12097–F to 12099–F, incl., 30801–F, 30820–F to 30823–F, incl., 30901–F, 30902–F.)

These boxes contained waxed paper envelopes of salted almonds, 14 to 19 almonds to the envelope. The envelope and almonds occupied on an average 47 percent of the volume of the box.

On December 23, 1942, the United attorney for the Western District of Washington filed a libel against 19 cartons and 245 7/12 12-box cases, each box containing 24 5-cent packages, of salted almonds at Seattle, Wash., alleging that the article had been shipped in interstate commerce within the period from on or about November 11 to on or about December 12, 1942, by the Reliable Nut Co., or the Reliable Vending and Nut Supply Co., from Los Angeles, Calif.; and charging that it was misbranded. The article was labeled in part: (Packages) "Royal Seal * * * Salted California Almonds * * * Net Weight ¼ Ounce."

The article was alleged to be misbranded in that the container was so filled as to misleading since the package could hold twice as many almonds as were packed in it.

On January 2, 1943, Bernard M. Shapiro and Monroe H. Shapiro, trading as Reliable Vending & Nut Supply Co., having appeared as claimants and having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.

4677. Adulteration of Brazil nuts. U. S. v. 8 Bags, 10 Bags, and 18 Baskets of Brazil Nuts. Default decrees of condemnation. Two lots ordered destroyed and remaining lot ordered delivered to a charitable institution. (F. D. C. Nos. 8703, 8844, 8896. Sample Nos. 19121–F, 19874–F, 19877–F.)

Examination of this product showed the presence of rancid, decomposed, moldy, and shriveled nuts.

On November 5, 14, and 20, 1942, the United States attorneys for the District of Rhode Island and the District of New Jersey filed libels against 18 100-pound bags of Brazil nuts at Providence, R. I., and 18 40-pound baskets of Brazil nuts at North Bergen, N. J., alleging that the article had been shipped in interstate commerce within the period from on or about September 29 to October 13, 1942, by the Graham Co., Inc., from New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Red Bow Extra Large Selected Hand Picked Brazil Nuts."

On December 21, 1942, and January 14, 1943, no claimant having appeared, judgments of condemnation were entered and the lots located at Providence, R. I., were ordered destroyed and the lot located at North Bergen, N. J., was ordered delivered to a charitable institution.

4678. Adulteration of Brazil nuts. U. S. v. 140 Bags of Brazil Nuts. Default decree of condemnation. Product ordered destroyed or salvaged. (F. D. C. No. 9004. Sample No. 13505–F.)

On or about December 17, 1942, the United States attorney for the District of Oregon filed a libel against 140 bags of Brazil nuts at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about September 22, 1941, by Companhia Industrialdo Brazil, Para, Brazil; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance, moldy and rancid nuts.

On January 18, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed or delivered to the fat salvage unit of the War Production Board.

4679. Adulteration of Brazil nuts. U. S. v. 19 Baskets of Brazil Nuts. Consent decree of condemnation. Product ordered released under bond for salvaging. (F. D. C. No. 8906. Sample No. 18682–F.)

Examination of this product showed the presence of moldy, decomposed, and rancid nuts.