NUTS

28091. Shelled almonds and chamomile flowers. (F.D.C. No. 45219. S. Nos. 96-777 P, 96-779 P, 96-883/4 P.)

INFORMATION FILED: 7-18-61, S. Dist. N.Y., against West Side Cold Storage Co., Inc., New York, N.Y., and George H. Breckley, secretary-treasurer.

ALLEGED VIOLATIONS: Between 1-16-60 and 1-20-60, while quantities of shelled almonds and chamomile flowers were held for sale after shipment in interstate commerce, the defendants caused the articles to be stored under insanitary conditions which act resulted in the articles being adulterated.

CHARGE: 402(a) (3) and (4)—the articles became contaminated with rodent urine by reason of their storage under insanitary conditions.

PLEA: Guilty by the corporation to each of the 4 counts of the information; and by the individual to count 1.

DISPOSITION: 9-28-61. Corporation fined $2,000; individual fined $500.

28092. Shelled almonds. (F.D.C. No. 47482. S. No. 68-091 T.)

QUANTITY: 90 100-lb. bags at Centralia, Ill., in possession of Hollywood Brands, Inc.

SHIPPED: 2-13-62, from Sacramento, Calif.

LIBELED: 5-2-62, E. Dist. Ill.

CHARGE: 402(a)(3)—contained rodent urine and rodent-damaged nuts; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 5-8-62. Consent—claimed by Hollywood Brands, Inc. Segregated; 300 lbs. destroyed.

28093. Sliced almonds. (F.D.C. No. 46981. S. No. 47-147 T.)

QUANTITY: 46 cases, 12 bags each, at St. Louis, Mo.

SHIPPED: 12-27-61, 1-3-62, and 1-10-62, from Chicago, Ill., by H. H. Evon Co., Inc.

LABEL IN PART: (Bag) "Evon's Sliced Almonds * * * Net Wt. 4 Oz. Approx. 1½ cup * * * H. H. Evon Co., Inc."

RESULT OF INVESTIGATION: Articles were contained in clear plastic bags with dark blue and white paper labels attached to the top. Quantity of contents statements were inconspicuous due to being embossed on the dark blue portion of the label. Examination showed the article to be short volume.

LIBELED: 1-26-62, E. Dist. Mo.

CHARGE: 403(a)—when shipped, the label statement "Approx. 1½ Cup" was false and misleading: and 403(f)—the weight of the contents was not prominently placed on the article with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 3-8-62. Default—delivered to charitable institutions.

28094. Shelled walnuts. (F.D.C. No. 47230. S. No. 51-056 T.)

QUANTITY: 80 cases, 24 11-oz. pkgs. each, at Spokane, Wash.

SHIPPED: 1-15-62, from Burlingame, Calif.

LIBELED: 3-8-62, E. Dist. Wash.