NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of its contamination with manure; and, Section 402 (a) (5), it consisted in whole or in part of fowl that was diseased at the time of slaughter.

DISPOSITION: January 15, 1946. A plea of guilty having been entered, the court imposed a fine of $150.

10327. Adulteration of frozen turkeys. U. S. v. 36 Cases of Frozen Turkeys. Default decree of condemnation. Product ordered converted into fertilizer tankage. (F. D. C. No. 17241. Sample No. 31472–H.)

LIBEL FILED: September 4, 1945, Southern District of California.

ALLEGED SHIPMENT: On or about August 7, 1945, by the Lee Brown Co., from Roosevelt, Utah.

PRODUCT: 36 cases, containing a total of about 2,234 pounds, of frozen turkeys at Los Angeles, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal.

DISPOSITION: September 26, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered denatured and converted into fertilizer tankage, under the supervision of the Federal Security Agency.

10328. Adulteration of frozen turkeys. U. S. v. 107 Boxes of Frozen Turkeys. Default decree of condemnation. Product ordered denatured. (F. D. C. No. 16853. Sample Nos. 31459–H, 31460–H.)

LIBEL FILED: July 13, 1945, Southern District of California.

ALLEGED SHIPMENT: On or about June 5, 1945, by H. J. Nielson, from Salt Lake City, Utah.

PRODUCT: 107 17-pound boxes of frozen turkeys at Los Angeles, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the turkeys were in whole or in part the product of diseased animals.

DISPOSITION: August 8, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered denatured and delivered to a rendering plant for recovery of the fat and conversion of the remainder into fertilizer, under the supervision of the Food and Drug Administration. It was further ordered that the fat and boxes be sold and the proceeds disposed of in accordance with the law.

NUTS AND NUT PRODUCTS*

10329. Adulteration of walnut meats and candy. U. S. v. Los Angeles Nut House, Sam Gendel, and Nestor Gold. Pleas of nolo contendere. Imposition of sentences suspended and defendants placed on probation for 2 years. (F. D. C. No. 16615. Sample Nos. 25517–H, 25518–H, 27238–H, 28545–H, 28546–H, 32074–H.)

INFORMATION FILED: February 28, 1946, Southern District of California, against Los Angeles Nut House, a partnership, Los Angeles, Calif., and Sam Gendel and Nestor Gold, partners.

ALLEGED SHIPMENT: Between the approximate dates of February 27 and March 29, 1945, from the State of California into the States of Utah and Washington.

LABEL, IN PART: (Candy) "Victory Squares," or "Deluxe Toffee Crunch."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of, in the walnut meats, worm-damaged and moldy nuts, and, in the candy, rodent hairs, insect and larvae fragments, a larva, a capsule, and worm fragments.

Further adulteration of the candy, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 13, 1946. Pleas of nolo contendere having been entered, imposition of sentence was suspended and each defendant was placed on probation for 2 years.

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*See also No. 10251.