

## NUTS

26436. Shelled Spanish peanuts. (F.D.C. No. 43472. S. Nos. 55-327 P, 83-131 P.)

QUANTITY: 100 120-lb. bags at Kansas City, Mo.

SHIPPED: 9-5-59, from San Antonio, Tex., by Bain Peanut Co.

LABEL IN PART: "Bain Peanut Co. of San Antonio, Tex. Little One Spanish Shelled Peanuts."

LIBELED: 10-9-59, W. Dist. Mo.

CHARGE: 402(a)(3)—contained insects and insect larvae when shipped.

DISPOSITION: 11-17-59. Consent—claimed by Bain Peanut Co. and denatured for use as seed peanuts.

26437. Shelled peanuts. (F.D.C. No. 43449. S. No. 83-121 P.)

QUANTITY: 35 120-lb. bags at Kansas City, Mo.

SHIPPED: 8-25-59, from Houston, Tex.

LIBELED: 9-17-59, W. Dist. Mo.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 11-16-59. Consent—claimed by Hou-Tex Peanut Co., Houston, Tex., and denatured for use as seed peanuts.

26438. Shelled pecans. (F.D.C. No. 44092. S. No. 86-703 P.)

QUANTITY: 6 30-lb. ctns. at Pittsburgh, Pa.

SHIPPED: 12-31-59, from Orangeburg, S.C., by Orangeburg Pecan Co.

LABEL IN PART: "Pecan Nut Meats \* \* \* Medium Pieces \* \* \* Orangeburg Pecan Co., Orangeburg, S.C."

LIBELED: 3-16-60, W. Dist. Pa.

CHARGE: 402(a)(3)—contained *E. coli*; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 4-20-60. Default—delivered to a public institution for use as animal feed.

26439. Unshelled pecans (7 seizure actions). (F.D.C. Nos. 43854, 43855, 43856, 43861, 43870, 43880, 43988. S. Nos. 36-558 P, 75-593/5 P, 75-717/8 P, 75-833 P, 75-836/7 P, 75-849 P, 75-930 P.)

QUANTITY: 467 cases, 24 1-lb. bags each, and 124 50-lb. bags, at St. Louis, Mo.

SHIPPED: Between 11-3-59 and 12-2-59, from Fairhope, Ala., and Nashville, and East St. Louis, Ill.

LIBELED: Between 12-2-59 and 12-14-59, E. Dist. Mo.

CHARGE: 402(a)(3)—contained insects and moldy, decomposed, rancid, and shriveled nuts, and empty shells while held for sale.

DISPOSITION: 1-15-60. Raymond A. Pitchford, Nashville, Ill., claimant, having consented to the entry of a decree and the seizure actions having been consolidated, judgment of condemnation was entered, and the nuts were released under bond to be brought into compliance with the law. The nuts were shelled and examined with the result that 1,012 lbs. of nut meats were destroyed as unfit.

26440. Shelled peanuts, unshelled peanuts, and dried split peas. (F.D.C. No. 43677. S. Nos. 24-354/6 P, 52-786 P.)

**INFORMATION FILED:** 12-7-59, S. Dist. Calif., against Overland Terminal Warehouse Co., a corporation, Los Angeles, Calif.

**ALLEGED VIOLATION:** Between 4-27-58 and 12-1-58, while quantities of peanuts and split peas were being held for sale after shipment in interstate commerce, the defendant caused the articles to be held in a building accessible to rodents and to be exposed to contamination by rodents which acts resulted in the articles being adulterated.

**CHARGE:** 402(a) (3)—contained a filthy substance; and 402(a) (4)—held under insanitary conditions.

**PLEA:** Nolo contendere.

**DISPOSITION:** 2-2-60. Fine of \$2,000.

**26441. Shelled walnuts.** (F.D.C. No. 43826. S. No. 69-392 P.)

**QUANTITY:** 25 25-lb. ctns. at Newport, Minn.

**SHIPPED:** 10-14-59, from San Jose, Calif.

**LIBELED:** 11-25-59, Dist. Minn.

**CHARGE:** 402(a) (3)—contained insects while held for sale.

**DISPOSITION:** 1-15-60. Consent—claimed by Santa Clara Nut Co., San Jose, Calif. Segregated; 25 lbs. denatured.

**26442. Shelled walnuts.** (F.D.C. No. 43249. S. Nos. 19-258/9 P, 22-254 P.)

**INFORMATION FILED:** 10-16-59, N. Dist. Calif., against Santa Clara Nut Co., a partnership, San Jose, Calif., Leslie Albaum, sales manager, and Jim Pusateri, partner.

**SHIPPED:** 10-3-58 and 11-7-58, from California to Colorado and Nebraska.

**LABEL IN PART:** (Ctn.) "Light and Light Amber Halves & Pieces" and "Light Pieces California Walnut Meats."

**CHARGE:** 402(a) (3)—contained insects, insect fragments, and insect excreta; and 402(a) (4)—prepared and packed under insanitary conditions.

**PLEA:** Nolo contendere.

**DISPOSITION:** 2-17-60. The court placed each defendant on probation for 1 year; fined Jim Pusateri \$500, and Leslie Albaum \$250.

**26443. Unshelled filberts.** (F.D.C. No. 43839. S. No. 69-221 P.)

**QUANTITY:** 376 cases, 24 1-lb. bags each, at Hopkins, Minn.

**SHIPPED:** 10-24-59, from Portland, Oreg.

**LIBELED:** 12-1-59, Dist. Minn.

**CHARGE:** 402(a) (3)—contained insects, moldy nuts, shriveled nuts, and empty shells while held for sale.

**DISPOSITION:** 1-15-60. Consent—claimed by Hudson House, Inc., Portland, Oreg. Segregated; 5,088 lbs. destroyed.

**26444. Mixed nuts.** (F.D.C. No. 43932. S. No. 72-108 P.)

**QUANTITY:** 18 cases, 24 1-lb. bags each, at Forest Park, Ga.

**SHIPPED:** 10-15-59, from Chico, Calif., by Continental Nut Co.

**LABEL IN PART:** (Bag) "Red Ribbon Fancy Mixed Nuts \* \* \* Packed by Continental Nut Co. Chico, Calif."

**LIBELED:** 11-27-59, N. Dist. Ga.