

12732. Adulteration of brazil nuts. U. S. v. 10 Boxes * * *. (F. D. C. No. 24162. Sample No. 12234-K.)

LIBEL FILED: December 1, 1947, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 15, 1947, by William A. Higgins & Co., Inc., from New York, N. Y.

PRODUCT: 10 40-pound boxes of brazil nuts at Allentown, Pa.

LABEL, IN PART: "New Crop Holly Brand Brazil Nuts."

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 wormy 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 empty shells.

DISPOSITION: January 19, 1948. Default decree of condemnation and destruction.

12733. Adulteration of filberts. U. S. v. 30 Bags * * *. (F. D. C. No. 24133. Sample No. 12224-K.)

LIBEL FILED: November 25, 1947, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 16, 1947, by Wm. A. Higgins & Co., Inc., from New York, N. Y.

PRODUCT: 30 100-pound bags of filberts at Philadelphia, Pa.

LABEL, IN PART: "Ensign Brand Oregon No. 1 Large Barcelona Filberts Packed by Rosenberg Bros. & Co., San Francisco, Calif."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), empty shells had been substituted in whole or in part for filberts.

DISPOSITION: December 10, 1947. Wm. A. Higgins & Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation and removal of the unfit portion, under the supervision of the Federal Security Agency.

12734. Adulteration of peanuts. U. S. v. 38 Bags * * *. (F. D. C. No. 24109. Sample No. 12308-K.)

LIBEL FILED: November 17, 1947, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 13, 1947, by the Farmers Gin & Warehouse Co., from Blakely, Ga.

PRODUCT: 38 bags, each containing 125 pounds, of peanuts at Philadelphia, Pa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the article contained an added deleterious substance, sulfuric acid, which is unsafe within the meaning of the law, since it is a substance not required in the production of the article and could have been avoided by good manufacturing practice.

DISPOSITION: December 18, 1947. Default decree of condemnation and destruction.

12735. Adulteration of mixed nuts. U. S. v. 207 Cases * * *. (F. D. C. No. 24110. Sample No. 12222-K.)

LIBEL FILED: November 18, 1947, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 30, 1947, by the Graham Co., Inc., New York, N. Y.

PRODUCT: 207 cases, each containing 24 1-pound boxes, of mixed nuts at Philadelphia, Pa.

LABEL, IN PART: "Redbow Extra Fancy Mixed Nuts Walnuts—Almonds—Brazils—Pecans—Filberts."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of moldy and rancid brazil nuts.

DISPOSITION: January 7, 1948. Default decree of condemnation and destruction.

12736. Adulteration of salted nuts. U. S. v. 6 Cartons, etc. (F. D. C. No. 23890. Sample Nos. 3503-K, 3540-K.)

LIBEL FILED: November 3, 1947, District of Maryland.

ALLEGED SHIPMENT: On or about October 8, 1947, by the Kelling Nut Company, from Passaic, N. J.

PRODUCT: 6 cartons, each containing 5 pounds, of salted cashews and 5 5-pound cartons of salted mixed nuts at Glen Burnie, Md.

LABEL, IN PART: "Salted De Luxe Cashews," or "Salted Family Mix."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the cashews consisted in whole or in part of a filthy substance by reason of the presence of wormy cashews, and the mixed nuts consisted in whole or in part of a filthy and decomposed substance by reason of the presence of wormy cashews and moldy filberts.

DISPOSITION: December 5, 1947. Default decree of condemnation and destruction.

POULTRY

12737. Adulteration of frozen poultry. U. S. v. 30 Barrels, etc. (F. D. C. No. 21182. Sample Nos. 32835-H, 32836-H.)

LABEL FILED: October 21, 1946, Southern District of Indiana.

ALLEGED SHIPMENT: On or about August 23, 1946, by Harry Smith of the Cincinnati Terminal Warehouse Co., from Cincinnati, Ohio. This was a return shipment by the consignee to the original shipper.

PRODUCT: Frozen poultry. 30 barrels, each containing from 200 to 225 pounds, 2 barrels, each containing 200 pounds, and 25 cartons, each containing approximately 90 to 100 pounds, at Worthington, Ind., in possession of the Hoese Poultry Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed birds.

DISPOSITION: November 26, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12738. Adulteration of frozen drawn poultry. U. S. v. 303 Crates * * * (F. D. C. No. 20703. Sample No. 5398-H.)

LABEL FILED: August 7, 1946, District of Delaware.

ALLEGED SHIPMENT: On or about July 20, 1946, by the Tri State Poultry Cooperative, Inc., from Salisbury, Md.

PRODUCT: 303 crates of frozen drawn poultry at Dover, Del.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: August 28, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On September 30, 1946, this order was amended to permit the product to be rendered into fats.

12739. Adulteration of frozen dressed poultry. U. S. v. 109 Crates * * * (F. D. C. No. 21264. Sample No. 1956-H.)

LABEL FILED: October 25, 1946, Northern District of Georgia.

ALLEGED SHIPMENT: On or about August 13, 1946, by Donnes Frozen Foods, from Thibodaux, La.

PRODUCT: 109 crates of frozen poultry at Gainesville, Ga.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: November 5, 1946. J. D. Jewell, Inc., Gainesville, Ga., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be thawed and that the unfit portion be segregated and denatured under the supervision of the Food and Drug Administration.

12740. Adulteration of frozen dressed poultry. U. S. v. 140 Boxes, etc. (F. D. C. No. 20801. Sample Nos. 5399-H, 5400-H.)

LABEL FILED: September 11, 1946, District of Delaware.

ALLEGED SHIPMENT: On or about August 29, 1946, by the Acme Poultry Corporation, from Berlin, Md.

PRODUCT: 140 boxes, containing a total of 7,835 pounds, and 160 boxes, containing a total of 9,012 pounds, of frozen dressed poultry at Dover, Del.