

ALLEGED SHIPMENT: On or about December 27, 1949, by J. W. Bailey, from Zenda, Kans.

PRODUCT: 32 crates, each containing 72 pounds, of frozen dressed rabbits at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rabbits which were contaminated with fur; and, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal.

DISPOSITION: April 26, 1950. Default decree of condemnation and destruction.

16244. Adulteration of frozen dressed poultry. U. S. v. Tracy Produce Co., Inc. Plea of guilty. Fine, \$300. (F. D. C. No. 28195. Sample No. 42067-K.)

INFORMATION FILED: January 6, 1950, District of Minnesota, against Tracy Produce Co., Inc., Tracy, Minn.

ALLEGED SHIPMENT: On or about September 22, 1949, from the State of Minnesota into the State of Illinois.

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

DISPOSITION: June 6, 1950. A plea of guilty having been entered, the court fined the defendant \$300.

NUTS

16245. Adulteration of brazil nuts. U. S. v. 50 Bags * * *. (F. D. C. No. 28338. Sample No. 46754-K.)

LIBEL FILED: November 10, 1949, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 27, 1949, by Wm. A. Higgins & Co., Inc., from New York, N. Y.

PRODUCT: 50 50-pound bags of brazil nuts at Pittsburgh, Pa.

LABEL, IN PART: "Sun-Glo."

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 moldy nuts.

DISPOSITION: November 30, 1949. Wm. A. Higgins & Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration. 117 pounds of the product were destroyed as a result of the segregation operations.

16246. Adulteration of cashew nuts. U. S. v. 497 Cases, etc. (F. D. C. No. 28445. Sample Nos. 58249-K, 58250-K.)

LIBEL FILED: December 12, 1949, Southern District of California.

ALLEGED SHIPMENT: On or about October 13, 1949, by the Electricooker Div., General Foods Corp., from New York, N. Y.

PRODUCT: 993 cases, each containing 2 25-pound cans, of cashew nuts at Los Angeles, Calif.

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 insects, insect parts, and rodent hairs.

DISPOSITION: January 23, 1950. The General Foods Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. Salvaging operations resulted in the destruction of 347 pounds of cashew nuts.

16247. Adulteration of shelled pecans. U. S. v. 14 Cases * * *. (F. D. C. No. 28901. Sample No. 33979-K.)

LIBEL FILED: March 20, 1950, Northern District of California.

ALLEGED SHIPMENT: On or about January 13, 1950, by the Southern Pecan Shelling Co., from San Antonio, Tex.

PRODUCT: 14 55-pound cases of shelled pecans at San Francisco, Calif.

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 rancid and otherwise decomposed nuts.

DISPOSITION: April 13, 1950. The shipper having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. On May 19 and 20, 1950, an amended decree was entered, ordering the product converted into nut oil for purposes other than for human consumption.

OILS AND FATS

16248. Adulteration and misbranding of edible oil. U. S. v. A. Accardi Co., a corporation, and John De Virgilio. Pleas of guilty. Corporation fined \$200; individual defendant fined \$100. (F. D. C. No. 28766. Sample Nos. 5261-K, 5264-K, 5766-K.)

INFORMATION FILED: May 1, 1950, District of Massachusetts, against the A. Accardi Co., Boston, Mass., and John De Virgilio, president.

ALLEGED SHIPMENT: On or about April 18, 1949, from the State of Massachusetts into the States of Maine and Vermont.

LABEL, IN PART: "One Gallon Monte Carlo Brand Fine Table Oil This can contains high grade cottonseed oil, corn oil and pure olive oil, with color and flavor added," "One Gallon Net High Grade Family Oil Napoli Star Brand High grade vegetable oil consisting of 90% corn, cottonseed, and peanut oil, and 10% pure olive oil," or "One Gallon La Regina Brand High Grade Family Oil This can contains 95% high grade vegetable oil and 5% imported olive oil."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent of the product, olive oil, had been in part omitted; and, Section 402 (b) (4), artificial flavor and artificial color had been added to the product and mixed and packed with it so as to make it appear to be an article containing substantial amounts of olive oil, which is better and of greater value than the product.

Misbranding, Section 403 (a), the various label statements, "This can contains high grade cottonseed oil, corn oil and pure olive oil," "5% imported olive oil," and "10% pure olive oil," were false and misleading since the product contained little, if any, olive oil; and, Section 403 (e) (2), the product