

DISPOSITION: October 8, 1952. The shipper, 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 relabeled under the supervision of the Food and Drug Administration.

19796. Adulteration of tomato catsup. U. S. v. Sweetser Packing Co., Inc., and Ira B. Jones. Pleas of nolo contendere. Corporation fined \$500 and individual defendant \$250, together with costs. (F. D. C. No. 32767. Sample Nos. 7003-L, 35487-L, 35488-L.)

INFORMATION FILED: April 2, 1952, Northern District of Indiana, against Sweetser Packing Co., Inc., Sweetser, Ind., and Ira B. Jones, president.

ALLEGED SHIPMENT: On or about September 24, 1951, from the State of Indiana into the States of Pennsylvania and Wisconsin.

LABEL, IN PART: "Pomco Brand Tomato Catsup Distributed by Potter-McCune Co. McKeesport, Pa" and "Sweetser Brand [or "Sweetser Fancy"] Tomato Catsup Packed by Sweetser Packing Co., Inc."

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

DISPOSITION: May 16, 1952. Pleas of nolo contendere having been entered, the court fined the corporation \$500 and the individual \$250, together with costs.

19797. Adulteration of tomato puree. U. S. v. 484 Cases * * *. (F. D. C. No. 33567. Sample No. 26590-L.)

LABEL FILED: On or about September 10, 1952, District of New Jersey.

ALLEGED SHIPMENT: On or about June 11, 1952, from Richmond, Va. This was a return shipment.

PRODUCT: 484 cases, each containing 6 cans, of tomato puree at Winslow, N. J., in the possession of Delta Food Packers, Inc.

LABEL, IN PART: (Can) "Pocahontas Fancy Tomato Puree Contents 6 Lbs. 10 Ozs."

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 fly eggs and maggots; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 23, 1952. Default decree of condemnation and destruction.

NUTS

19798. Adulteration of unshelled brazil nuts. U. S. v. 87 Bags * * *. (F. D. C. No. 33497. Sample No. 49606-L.)

LABEL FILED: July 29, 1952, District of New Jersey.

ALLEGED SHIPMENT: On or about March 13, 1952, from Youngstown, Ohio.

PRODUCT: 87 50-pound bags of unshelled brazil nuts at Jersey City, N. J.

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 and decomposed brazil nuts, and it was otherwise unfit for food by reason of the presence of empty shells. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: August 14, 1952. William A. Camp Co., Inc., New York, N. Y., 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 the segregation and the destruction of the unfit portion, under the supervision of the Food and Drug Administration.

Segregation operations resulted in the salvaging of 2,500 pounds of unshelled nuts and in the rejection of 1,385 pounds. The rejected nuts were salvaged by the cracking of the nuts and the salvaging of the fit portion. The rejected material, consisting of 1,044 pounds of broken shells and 77 pounds of unfit kernels, was destroyed.

19799. Adulteration of cashew nuts. U. S. v. 72 Cases * * *. (F. D. C. No. 31910. Sample No. 30054-L.)

LIBEL FILED: October 24, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about September 14, 1951, by Wm. A. Higgins & Co., Inc., from Oakland, Calif.

PRODUCT: 72 cases, each containing 2 25-pound tins, of cashew nuts at Seattle, Wash.

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 insects.

DISPOSITION: October 31, 1951. Wm. A. Higgins & Co., Inc., 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 segregated and sorted under the supervision of the Federal Security Agency. As a result of these operations, 50 pounds of the product were found unfit and were destroyed.

19800. Adulteration of unshelled peanuts. U. S. v. 25 Bags * * *. (F. D. C. No. 33522. Sample No. 48721-L.)

LIBEL FILED: August 16, 1952, District of South Dakota.

ALLEGED SHIPMENT: On or about January 2, 1952, from Suffolk, Va.

PRODUCT: 25 100-pound bags of unshelled peanuts at Rapid City, S. Dak., in the possession of the Black Hills Albright Grocery Co.

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 rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 23, 1952. The Black Hills Albright Grocery Co., claimant, having admitted the allegations of the libel, 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 Federal Security Agency. Salvaging operations resulted in the removal and in the destruction of 143 pounds of unfit peanuts.