

**22399. Cashew nuts.** (F. D. C. No. 38052. S. No: 10-157 M.)  
**QUANTITY:** 109 25-lb. cans at Des Moines, Iowa.  
**SHIPPED:** 4-18-55, from New York, N. Y.  
**LIBELED:** 5-18-55; amended 5-19-55, S. Dist. Iowa.  
**CHARGE:** 402(a) (3)—contained insects while held for sale.  
**DISPOSITION:** 6-11-55. Consent—claimed by Braun Importing Co., New York, N. Y. Segregated, 3 25-lb. tins destroyed.

**22400. Unshelled walnuts.** (F. D. C. No. 38091. S. No. 25-843 M.)  
**QUANTITY:** 60 100-lb. bags at Laurens, Iowa, in possession of M. & J. R. Hakes, a partnership.  
**SHIPPED:** 11-8-54 and 11-12-54, from Los Angeles, Calif.  
**LIBELED:** 7-12-55, N. Dist. Iowa.  
**CHARGE:** 402 (a) (3)—contained rodent urine; and, 402 (a) (4)—held under insanitary conditions.  
**DISPOSITION:** 8-1-55. Consent—claimed by M. & J. R. Hakes. Segregated, 433 lbs. destroyed.

### INDEX TO NOTICES OF JUDGMENT F. N. J. NOS. 22351 TO 22400

#### PRODUCTS

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Fruits and vegetables	22351, 22358, 22385-22397	Walnuts, unshelled	22358, 22400
fruit, canned	22385-22387	Wheat	22379

<sup>1</sup>(22356) Seizure contested.

# U. S. Department of Health, Education, and Welfare

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

22401-22450

#### FOODS

The cases reported herewith were instituted in the United States district courts by United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. They involve foods which were adulterated or misbranded within the meaning of the Act when introduced into and while in interstate commerce and when shipped to a holder of a guaranty. These cases involve (1) seizure proceedings in which default or consent decrees of condemnation were entered; (2) criminal proceedings which were terminated upon pleas of *nolo contendere* or guilty, or a verdict of guilty; and (3) injunction proceedings terminated with the entry of a consent decree of injunction. The seizure proceedings are civil actions taken against the *goods* alleged to be in violation, and the criminal and injunction proceedings are against the *firms or individuals* charged to be responsible for violations.

Similar actions with respect to products alleged to be in violation while held for sale after shipment in interstate commerce are reported in other supplements.

Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., July 2, 1956.

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SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS  
REPORTED IN F. N. J. NOS. 22401-22450

*Adulteration*, Section 402 (a) (1), the article contained a poisonous or deleterious substance which may have rendered it injurious to health; Section 402 (a) (2), the article contained an added poisonous or deleterious substance which was unsafe within the meaning of Section 406; Section 402 (a) (3), the article consisted in part of a filthy or decomposed substance, or was otherwise unfit for food; Section 402 (a) (4), the article had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; Section 402 (a) (5), the article was in whole or in part the product of a diseased animal; Section 402 (b) (1), a valuable constituent of the article had been in whole or in part omitted or abstracted therefrom; Section 402 (b) (2), a substance had been substituted wholly or in part for the article; Section 402 (b) (4), a substance had been added to the article or mixed or packed therewith so as to increase its bulk or weight or reduce its quality or strength; Section 402 (d), the article was confectionery, and it contained a nonnutritive substance; and, Section 406 (a), a poisonous or deleterious substance was added to food when such substance was not required in the production thereof and could have been avoided by good manufacturing practice.

*Misbranding*, Section 403 (a), the labeling of the article was false and misleading; Section 403 (e), the article was in package form, and it failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; Section 403 (g) (1), the article purported to be and was represented as a food for which a definition and standard of identity has been prescribed by regulations, and it failed to conform to such definition and standard; and, Section 403 (j), the article purported to be and was represented for special dietary uses, and its label failed to bear such information as the Secretary has determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such uses.

## CANDY

22401. Candy. (F. D. C., No. 37756. S. Nos. 5-488/9 M.)

QUANTITY: 10 cases, 100 bars each, at Detroit, Mich.

SHIPPED: 12-13-54, from Chicago, Ill., by Charland Candy Mfg. Co.

LABEL IN PART: (Bar) "Charland's Pecan Fudge Candy Bar."

LIBELED: 1-25-55, E. Dist. Mich.

CHARGE: 402 (a) (3)—contained insects, insect parts, and cat hairs; and, 402 (a) (4)—prepared under insanitary conditions.

DISPOSITION: 3-22-55. Default—destruction.

22402. Slimettes chocolates. (F. D. C. No. 37346. S. Nos. 38-232/4 L.)

QUANTITY: 150 boxes at Irvington, N. J.

SHIPPED: 9-27-54, from Milford, Conn., by Casanova Chocolate Co., Inc.

LABEL IN PART: (Box) "Dietetic Slimettes Chocolates Low Calorie Sugar Free Salt Free Quarter Pound Net."

LIBELED: 11-5-54, Dist. N. J.

CHARGE: 402 (d)—the product was confectionery and contained a nonnutritive substance, calcium cyclamate, when shipped; 403 (a)—the label statement