

**LABEL, IN PART:** (Can) "Our Seal Brand Contents 10½ Oz. Tomato Puree."

**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 house flies, fly eggs, and maggots.

**DISPOSITION:** March 22, 1954. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, to be used as animal feed.

## NUTS AND NUT PRODUCTS

**21092. Adulteration of unshelled almonds. U. S. v. 20 Bags \* \* \*. (F. D. C. No. 36241. Sample No. 69820-L.)**

**LIBEL FILED:** December 10, 1953, District of Idaho.

**ALLEGED SHIPMENT:** On or about November 6, 1953, by John Scowcroft & Sons Co., from Ogden, Utah.

**PRODUCT:** 20 bags of unshelled almonds at Idaho Falls, Idaho.

**LABEL, IN PART:** "Sugaripe California Almonds IXL 80 Lbs. Rosenberg Brothers & Co. Inc. San Francisco, Calif."

**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 insect-infested almonds, and it was otherwise unfit for food by reason of the presence of gummy and shriveled almonds.

**DISPOSITION:** February 12, 1954. Default decree of forfeiture and destruction.

**21093. Adulteration of cashew nuts. U. S. v. 84 Tins \* \* \*. (F. D. C. No. 36240. Sample No. 65500-L.)**

**LIBEL FILED:** December 10, 1953, District of Minnesota.

**ALLEGED SHIPMENT:** On or about September 25, 1953, from New York, N. Y.

**PRODUCT:** 84 25-pound tins of cashew nuts at St. Paul, Minn.

**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. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** January 27, 1954. Red Line Commercial Co., Inc., New York, N. Y., 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 for salvage under the supervision of the Department of Health, Education, and Welfare. As a result of the salvage operations, 250 pounds of the product were found unfit and were denatured.

**21094. Adulteration of cashew nut pieces. U. S. v. 13 Tins \* \* \*. (F. D. C. No. 36253. Sample No. 63467-L.)**

**LIBEL FILED:** December 17, 1953, Eastern District of Illinois.

**ALLEGED SHIPMENT:** On or about April 15 and August 19, 1953, from New York, N. Y.

**PRODUCT:** 13 25-pound tins of cashew nut pieces at Danville, Ill.

**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. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** January 25, 1954. Default decree of condemnation. The product was destroyed.

**21095. Adulteration of unshelled filberts. U. S. v. 6 Bags \* \* \*. (F. D. C. No. 36272. Sample No. 64908-L.)**

**LIBEL FILED:** December 30, 1953, Western District of Wisconsin.

**ALLEGED SHIPMENT:** On or about November 7, 1953, by the Dugdale Nut Processing Co., from Cornelius, Oreg.

**PRODUCT:** 6 bags of unshelled filberts at Richland Center, Wis.

**LABEL, IN PART:** "100 Lbs. Net Oregon No. 1 Barcelona Quality Dugdale Filberts."

**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 insect-infested nuts and empty shells.

**DISPOSITION:** February 12, 1954. Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as animal feed.

**21096. Adulteration of English walnuts. U. S. v. 14 Bags \* \* \*. (F. D. C. No. 36324. Sample Nos. 63482-L, 63490-L.)**

**LIBEL FILED:** February 19, 1954, Southern District of Illinois.

**ALLEGED SHIPMENT:** On or about November 3, 1953, from Los Angeles, Calif.

**PRODUCT:** 14 100-pound bags of English walnuts at Springfield, Ill., in possession of the Mid-State Wholesale Grocery Co.

**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 walnuts, and it was otherwise unfit for food by reason of the presence of shriveled walnuts; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** March 25, 1954. Default decree of condemnation and destruction. Destruction of the product was effected by disposition of it for use as animal feed.

**21097. Adulteration of peanut butter. U. S. v. 22 Cases \* \* \*. (F. D. C. No. 36230. Sample No. 72393-L.)**

**LIBEL FILED:** January 11, 1954, Northern District of West Virginia.

**ALLEGED SHIPMENT:** On or about October 21, 1953, by the Union Food Products Co., from Greenville, Ohio.

**PRODUCT:** 22 cases, each containing 12 jars, of peanut butter at Flemington, W. Va.