14663. Adulteration of brazil nuts. U. S. v. 55 Bags * * * (and 7 other seizure actions). (F. D. C. Nos. 25926, 25938, 25939, 25986, 25993, 25994, 26043, 26081. Sample Nos. 198–K to 200–K, incl., 1414–K, 1417–K, 6160–K, 18652–K, 18656–K.)

LIBELS FILED: Between the approximate dates of November 4 and 26, 1948, Western District of Pennsylvania, Southern District of Ohio, Northern District of Georgia, and Western District of North Carolina.

ALLEGED SHIPMENT: Between the approximate dates of September 27 and October 14, 1948, by Wm. A. Higgins & Co., Inc., from New York, N. Y.

PRODUCT: Pecans. 55 100-pound bags at Johnstown, Pa., 120 40-pound bags at Cincinnati, Ohio., 197 100-pound bags and 8 40-pound bags at Atlanta, Ga., and 126 100-pound bags at Charlotte, N. C.

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, moldy and rancid nuts, and, in addition, the Johnstown lot consisted in part of a filthy substance by reason of the presence of insect-infested nuts and was otherwise unfit for food by reason of the presence of empty shells.

DISPOSITION: December 10, 1948, and May 2, 1949. Wm. A. Higgins & Co., Inc., claimant for the Johnstown and Cincinnati lots, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for segregation and salvage of the fit portion. Of the 12,960 pounds seized at Johnstown and Cincinnati, 10,410 pounds of good nuts were salvaged. On December 20, 1948, and January 6, 1949, no claimant having appeared for the remaining lots, judgments of condemnation were entered and the product was ordered delivered to various institutions for consumption by the inmates after elimination of the unfit nuts.

14664. Adulteration of brazil nuts. U. S. v. 64 Bags * * * (and 1 other seizure action). (F. D. C. Nos. 25862, 26358. Sample Nos. 1410–K, 43553–K.)

LIBELS FILED: October 18 and December 28, 1948, Western District of North Carolina and Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about September 17 and 27, 1948, by Wm. A. Higgins & Co., Inc., from New York, N. Y.

PRODUCT: Brazil nuts. 64 bags, each containing 100 pounds, at Charlotte, N. C., and 49 bags, each containing 40 pounds, at Lexington, Ky.

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

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 and rancid nuts.

DISPOSITION: November 23, 1948, and February 10, 1949. Default decrees of condemnation. The product was ordered delivered to charitable institutions, conditioned that the nuts be cracked and that the unfit be destroyed.

14665. Adulteration of brazil nuts. U. S. v. 100 Bags * * *. (F. D. C. No. 26187. Sample No. 18660–K.)

LIBEL FILED: November 29, 1948, Southern District of Ohio.

ALLEGED SHIPMENT: On or about October 20, 1948, by Wm. A. Higgins & Co., from New York, N. Y.