

On April 5, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

NUTS AND NUT PRODUCTS

4676. Misbranding of salted almonds. U. S. v. 4 Cases, 241 $\frac{1}{2}$ Cases, and 19 Cartons of Salted Almonds. Consent decrees of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. Nos. 8996, 9030 to 9038, incl. Sample Nos. 12097-F to 12099-F, incl., 30801-F, 30820-F to 30823-F, incl., 30901-F, 30902-F.)

These boxes contained waxed paper envelopes of salted almonds, 14 to 19 almonds to the envelope. The envelope and almonds occupied on an average 47 percent of the volume of the box.

On December 23, 1942, the United attorney for the Western District of Washington filed a libel against 19 cartons and 245 $\frac{1}{2}$ 12-box cases, each box containing 24 5-cent packages, of salted almonds at Seattle, Wash., alleging that the article had been shipped in interstate commerce within the period—from on or about November 11 to on or about December 12, 1942, by the Reliable Nut Co., or the Reliable Vending and Nut Supply Co., from Los Angeles, Calif.; and charging that it was misbranded. The article was labeled in part: (Packages) "Royal Seal * * * Salted California Almonds * * * Net Weight $\frac{1}{4}$ Ounce."

The article was alleged to be misbranded in that the container was so filled as to misleading since the package could hold twice as many almonds as were packed in it.

On January 2, 1943, Bernard M. Shapiro and Monroe H. Shapiro, trading as Reliable Vending & Nut Supply Co., having appeared as claimants and having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.

4677. Adulteration of Brazil nuts. U. S. v. 8 Bags, 10 Bags, and 18 Baskets of Brazil Nuts. Default decrees of condemnation. Two lots ordered destroyed and remaining lot ordered delivered to a charitable institution. (F. D. C. Nos. 8703, 8844, 8896. Sample Nos. 19121-F, 19874-F, 19877-F.)

Examination of this product showed the presence of rancid, decomposed, moldy, and shriveled nuts.

On November 5, 14, and 20, 1942, the United States attorneys for the District of Rhode Island and the District of New Jersey filed libels against 18 100-pound bags of Brazil nuts at Providence, R. I., and 18 40-pound baskets of Brazil nuts at North Bergen, N. J., alleging that the article had been shipped in interstate commerce within the period from on or about September 29 to October 13, 1942, by the Graham Co., Inc., from New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Red Bow Extra Large Selected Hand Picked Brazil Nuts."

On December 21, 1942, and January 14, 1943, no claimant having appeared, judgments of condemnation were entered and the lots located at Providence, R. I., were ordered destroyed and the lot located at North Bergen, N. J., was ordered delivered to a charitable institution.

4678. Adulteration of Brazil nuts. U. S. v. 140 Bags of Brazil Nuts. Default decree of condemnation. Product ordered destroyed or salvaged. (F. D. C. No. 9004. Sample No. 13505-F.)

On or about December 17, 1942, the United States attorney for the District of Oregon filed a libel against 140 bags of Brazil nuts at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about September 22, 1941, by Companhia Industrialdo Brazil, Para, Brazil; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance, moldy and rancid nuts.

On January 18, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed or delivered to the fat salvage unit of the War Production Board.

4679. Adulteration of Brazil nuts. U. S. v. 19 Baskets of Brazil Nuts. Consent decree of condemnation. Product ordered released under bond for salvaging. (F. D. C. No. 8906. Sample No. 18682-F.)

Examination of this product showed the presence of moldy, decomposed, and rancid nuts.

On November 24, 1942, the United States attorney for the District of Connecticut filed a libel against 19 baskets, each basket containing 40 pounds, of Brazil nuts at Bridgeport, Conn., alleging that the article had been shipped in interstate commerce on or about October 20, 1941, by the Baker-Bennett-Day Division of General Foods Sales Co., Inc., from Jersey City, N. J.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "King Cole Large Brite Brazil Nuts."

On February 3, 1943, Henry Bresky & Sons, claimant, Bridgeport, Conn., having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for salvaging the fit portion under the supervision of the Food and Drug Administration, and destruction of the unfit portion.

4680. Adulteration of Brazil nuts. U. S. v. 5½ Cases of Brazil Nuts. Default decree of condemnation. Product ordered sold for technical uses. (F. D. C. No. 8422. Sample No. 9516-F.)

This product was infested with live and dead insects.

On September 25, 1942, the United States attorney for the Eastern District of Louisiana filed a libel against 5½ cases, each containing 2 33-pound cans, of Brazil nuts, alleging that the article had been shipped in interstate commerce on or about July 3, 1942, by the American Pistachio Corporation, New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Can lid) "Usina Brazil Ltd. Shelled Brazil Nuts * * * Exported by Usina Brazil Ltd. Para (Brazil)."

On March 5, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered sold to rendering plants to be disposed of for technical war uses.

4681. Adulteration of Brazil nuts and walnut meats and halves. U. S. v. 294 Bags of Brazil Nuts, 400 Boxes of Walnut Meats, and 1,100 Boxes of Walnut Halves and Pieces. Consent decrees of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. (F. D. C. Nos. 8686, 9764, 9926. Sample Nos. 22563-F, 31946-F, 38131-F.)

The walnut meats were in part worm-cut and contained insect excreta and webbing. The Brazil nuts were in part moldy and decomposed.

On November 2, 1942, April 9, and May 12, 1943, the United States attorneys for the Eastern District of Pennsylvania, Southern District of Indiana, and Eastern District of Wisconsin filed libels against 294 100-pound bags of Brazil nuts at Philadelphia, Pa., 400 25-pound boxes of walnut meats at Indianapolis, Ind., and 1,100 25-pound boxes of walnut halves and pieces at Milwaukee, Wis., alleging that the articles had been shipped in interstate commerce within the period from on or about October 14, 1942, to March 19, 1943, by Wm. A. Camp & Co., Inc., from New York, N. Y.; and charging that they were adulterated in that they consisted in whole or in part of a filthy and/or decomposed substance. The articles were labeled in part: "Tropical Brand New Crop Large Washed Brazils," "Light Ambers * * * Packed By Whittler Walnut Packing El Monte California," or "Carnation Club Shelled Walnut Halves & Pieces."

On December 5, 1942, May 28 and June 1, 1943, Wm. A. Camp & Co., Inc., claimant, having admitted the allegations of the libels and having consented to the entries of decrees, judgments of condemnation were entered and the products were ordered released under bond for reconditioning by sorting out and destroying the unfit portions, under the supervision of the Food and Drug Administration.

4682. Adulteration of Brazil nuts and mixed nuts. U. S. v. 14 Bags of Brazil Nuts (and 19 additional seizure actions against Brazil Nuts and Mixed Nuts). Decrees of condemnation. Portions of Brazil nuts ordered released under bond for segregation and destruction of unfit nuts. Remainder of Brazil nuts and the mixed nuts ordered destroyed or distributed to charitable institutions. (F. D. C. Nos. 8637, 8662, 8719 to 8722, incl., 8845, 8869, 8879, 8893, 8899, 8900, 8910, 8954 to 8958, incl., 8978, 8991, 9006, 9043, 9044, 9066. Sample Nos. 4692-F to 4695-F, incl., 4699-F, 4700-F, 12181-F, 19122-F, 19123-F, 19878-F, 21573-F, 22554-F, 22555-F, 24265-F, 24281-F, 24283-F, 24284-F, 24377-F, 25258-F, 25260-F, 25261-F, 28679-F, 28741-F, 28919-F, 32442-F.)

Samples of these nuts were found to be moldy, rancid, and wormy.

Between October 27 and December 24, 1942, the United States attorneys for the Southern District of West Virginia, Southern District of Florida, Western District of Virginia, Eastern District of Pennsylvania, Western District of Pennsylvania, Western District of Washington, Western District of North Carolina, the District of Rhode Island, the District of New Jersey, the Northern District of