

**7669. Adulteration of tomato puree. U. S. v. 197 Cases and 840 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 14678. Sample Nos. 33857-F, 92361-F.)**

**LIBEL FILED:** November 30, 1944, Western District of New York.

**ALLEGED SHIPMENT:** On or about October 6 and 7, 1944, by the Mel-Williams Co., from Stockton, Calif.

**PRODUCT:** 1,037 cases, each containing 6 No. 10 cans, of tomato puree at Lockport, N. Y.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** January 8, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**7670. Adulteration of tomato puree. U. S. v. 257 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 14663. Sample No. 78285-F.)**

**LIBEL FILED:** December 18, 1944, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about October 12, 1944, by Clement Pappas and Co., from Cedarville, N. J.

**PRODUCT:** 257 cases, each containing 6 cans, of tomato puree at Philadelphia, Pa.

**LABEL, IN PART:** (Cans) "Pappas Brand Tomato Puree Contents 6 Lbs. 6 Oz."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of maggots, fly eggs, and decomposed tomato material.

**DISPOSITION:** January 16, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**7671. Adulteration of tomato puree. U. S. v. 198 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 14518. Sample No. 68782-F.)**

**LIBEL FILED:** November 27, 1944, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about October 17, 1944, by the Everitt Packing Co., Underwood, Ind.

**PRODUCT:** 198 cases, each containing 6 cans, of tomato puree at Dayton, Ohio.

**LABEL, IN PART:** "Ever-It Brand Tomato Puree Contents 6 Lb. 8 Oz."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** January 6, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**7672. Adulteration of tomato puree. U. S. v. 27 Cartons of Tomato Puree. Default decree of condemnation and destruction. (F. D. C. No. 14441. Sample No. 78274-F.)**

**LIBEL FILED:** November 20, 1944, District of Columbia.

**ALLEGED SHIPMENT:** On or about October 30, 1944, by George T. Felici, from Philadelphia, Pa.

**PRODUCT:** 27 cartons, each containing 6 cans, of tomato puree at Washington, D. C.

**LABEL, IN PART:** "Mountain Beauty Tomato Puree \* \* \* Packed for La Sierra Heights Canning Co., Inc. Buena Park—California."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** December 13, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**7673. Adulteration of tomato puree and tomato paste. U. S. v. 25 Cartons of Tomato Puree and 66 Cartons of Tomato Paste. Default decree of condemnation and destruction. (F. D. C. No. 14896. Sample Nos. 77258-F, 77259-F.)**

**LIBEL FILED:** January 4, 1945, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about November 4, 1944, by the Uddo & Taormina Co., from Vineland, N. J.

**PRODUCT:** 25 cartons, each containing 24 1-pound, 12-ounce cans, of tomato puree, and 66 cartons, each containing 100 6½-ounce cans, of tomato paste, at Brooklyn, N. Y.

**LABEL, IN PART:** "(Cans) 'Mountain Beauty Tomato Puree [or 'Paste'] Packed for La Sierra Heights Canning Co., Inc. Buena Park, California."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the products consisted in whole or in part of decomposed substances.

**DISPOSITION:** March 5, 1945. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

### NUTS AND NUT PRODUCTS\*

**7674. Adulteration of cashew nuts. U. S. v. 4 Cans of Cashew Nuts. Default decree of condemnation and destruction. (F. D. C. No. 14932. Sample No. 90628-F.)**

**LABEL FILED:** December 30, 1944, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about October 27, 1944, by William A. Higgins & Co., New York, N. Y.

**PRODUCT:** 4 25-pound cans of cashew nuts at Cleveland, Ohio.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, and insect-infested nuts.

**DISPOSITION:** January 26, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**7675. Adulteration of mixed nuts in shell. U. S. v. 35 Cartons and 35 Bags of Mixed Nuts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14439. Sample No. 63642-F.)**

**LABEL FILED:** On or about November 28, 1944, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about October 25, 1944, by Wm. A. Camp Co., Inc., from New York, N. Y.

**PRODUCT:** 35 25-pound cartons and 35 50-pound bags, at Atlanta, Ga.

**LABEL, IN PART:** (Cartons and bags) "Competition Brand Mixed Nuts."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insect-infested and rancid nuts, and it was otherwise unfit for food by reason of the presence of empty shells.

**DISPOSITION:** January 2, 1945. The Wm. A. Camp Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

**7676. Adulteration of toasted peanuts with sugar. U. S. v. Joseph Fingerhut (Havmor Food Products). Plea of guilty. Fine, \$300. (F. D. C. No. 11360. Sample No. 45036-F.)**

**INFORMATION FILED:** September 12, 1944, Eastern District of New York, against Joseph Fingerhut, trading as Havmor Food Products, Brooklyn, N. Y.

**ALLEGED SHIPMENT:** On or about August 20, 1943, from the State of New York into the State of Connecticut.

**LABEL, IN PART:** (Packages) "Havmor Tasty Toasted Nuts Consists of Sugar and Peanuts."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of live worms, dead worms, and moldy nuts; and, Section 402 (a) (4), it had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** November 9, 1944. The defendant entered a plea of guilty and a fine of \$300 was imposed.

**7677. Adulteration of peanuts. U. S. v. 400 Bags of Peanuts (and 6 other seizure actions against peanuts). Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 14453, 14481, 14486, 14773 to 14776, incl. Sample Nos. 89745-F, 89747-F, 89749-F, 99116-F to 99118-F, incl., 99122-F to 99124-F, incl.)**

**LIBELS FILED:** Between November 8 and December 14, 1944, Eastern District of Missouri.

\*See also Nos. 7560, 7563, 7564, 7694.