

**ALLEGED SHIPMENT:** On or about June 19, 22, and 26, 1946, by the Reagan Canning Co., from McAllen, Tex.

**PRODUCT:** 248 cases, each containing 48 10-ounce cans, of tomato puree at Little Rock, Ark.; 34 cases, each containing 48 10-ounce cans, and 390 cases, each containing 6 6-pound, 8-ounce cans, of tomato puree at St. Paul, Minn.; and 248 cases, each containing 24 1-pint, 2-fluid-ounce cans, and 73 cases, each containing 12 1-quart, 14-fluid-ounce cans, of tomato juice at Kansas City, Mo.

**LABEL, IN PART:** "Tomato Puree Reagan's Brand," or "Tomato Juice Reagan's Brand."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), both articles consisted in whole or in part of filthy substances by reason of the presence of fly eggs and maggots, and the puree consisted also in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material; and, Section 402 (a) (4), the articles had been prepared under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** September 25 and December 16, 1946, and March 31, 1947. Default decrees of condemnation and destruction.

**11469. Misbranding of tomato puree. U. S. v. 498 Cases \* \* \*. (F. D. C. No. 20693. Sample No. 49606-H.)**

**LIBEL FILED:** August 23, 1946, Western District of Louisiana.

**ALLEGED SHIPMENT:** On or about July 16, 1946, by the Delta Canning Co., from Raymondville, Tex.

**PRODUCT:** 498 cases, each containing 48 10½-ounce cans, of tomato puree at Shreveport, La.

**LABEL, IN PART:** "Frost Brand Tomato Puree."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard for tomato puree since it contained less than 8.37 percent of salt-free tomato solids.

**DISPOSITION:** November 5, 1946. The Delta Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Federal Security Agency.

**11470. Adulteration of tomato sauce. U. S. v. 2,984 Cases, etc. (F. D. C. Nos. 20654, 20841. Sample Nos. 56255-H, 67107-H.)**

**LIBELS FILED:** On or about August 22 and September 9, 1946, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about June 8, 22, and 25, 1946, by the St. Clair Foods Co., Ltd., from McAllen, Tex.

**PRODUCT:** 4,313 cases, each containing 48 8-ounce cans, of tomato sauce at Kansas City, Mo. Examination showed that both lots contained decomposed tomato material and that 1 lot contained fly eggs and larvae.

**LABEL, IN PART:** "Royal Rio Spanish Style Tomato Sauce."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance and (1 lot) a filthy substance.

**DISPOSITION:** December 6, 1946. The St. Clair Foods Co., Ltd., having admitted the allegations of the libels, and the cases having been consolidated, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

#### NUTS\*

**11471. Adulteration of brazil nuts, mixed nuts, and shelled filberts. U. S. v. 30 Bags of Brazil Nuts, etc. (and 4 other seizure actions). (F. D. C. Nos. 20431, 21785, 21865, 21948, 21990. Sample Nos. 59918-H, 60527-H, 60528-H, 65449-H, 65456-H, 70500-H.)**

**LIBELS FILED:** Between the dates of July 26 and December 18, 1946, Southern District of California and Eastern and Western Districts of Pennsylvania.

\*See also No. 11351.

**ALLEGED SHIPMENT:** Between the approximate dates of February 21 and October 28, 1946, by William A. Camp, Inc., from New York, N. Y.

**PRODUCT:** 30 100-pound bags of brazil nuts and 77 50-pound bags of mixed nuts at Pittsburgh, Pa., 60 100-pound bags of brazil nuts at Philadelphia, Pa., and 16 110-pound bags of shelled filberts at Los Angeles, Calif. Examination showed that all 3 lots of brazil nuts contained moldy and rancid nuts, and the individual lots were found to contain either insect-infested or decomposed nuts, or empty shells. The lot of filberts was found to contain larvae, insect parts, and insect-damaged nuts. The mixed nuts contained brazil nuts that were in part insect-infested and moldy.

**LABEL, IN PART:** "American Beauty Brand Extra Fancy High Grade Mixed Nuts," "Ongan Shelled Filberts," "Tropical Brand New Crop Large Washed Brazils," or "Tropical Beauties New Crop Large Brazils."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy or decomposed substances, or both; and a portion of the brazil nuts was otherwise unfit for food by reason of the presence of empty shells.

**DISPOSITION:** Between the dates of December 24, 1946, and February 28, 1947, William A. Camp, Inc., New York, N. Y.; Donahoes, Inc., Pittsburgh, Pa.; Perloff Brothers, Inc., Philadelphia, Pa.; and the Morris Rosenberg Co., Los Angeles, Calif., having appeared as claimants for all lots except the 5-bag lot at Philadelphia, Pa., and having consented to the entry of decrees, judgments of condemnation were entered. The unclaimed lot was ordered destroyed. All of the other lots were ordered released under bond, conditioned that the unfit portions be segregated under the supervision of the Federal Security Agency.

**11472. Adulteration of peanuts. U. S. v. 125 Bags \* \* \*. (F. D. C. No. 20415. Sample No. 63961-H.)**

**LIBEL FILED:** July 18, 1946, Northern District of New York.

**ALLEGED SHIPMENT:** On or about February 1, 1945, by the Bertie Peanut Co., Inc., from Roxobel, N. C.

**PRODUCT:** 125 90-pound bags of peanuts at Binghamton, N. Y.

**LABEL, IN PART:** "Bertie's Jumbo Handpicked Peanuts."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of filthy and decomposed substances by reason of the presence of wormy and moldy peanuts.

**DISPOSITION:** September 12, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**11473. Adulteration of peanuts. U. S. v. 89 Bags \* \* \*. (F. D. C. No. 21104. Sample No. 51559-H.)**

**LIBEL FILED:** September 26, 1946, Northern District of Iowa.

**ALLEGED SHIPMENT:** On or about July 26, 1946, from Suffolk, Va.

**PRODUCT:** 89 120-pound bags of peanuts at Waterloo, Iowa, in possession of the Gamble Robinson Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta was observed on them. Examination showed that the product contained rodent excreta and rodent-gnawed peanuts.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4) it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** October 26, 1946. The Pacific Gamble Robinson Co., Seattle, Wash., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the purpose of segregating the unfit portion and converting it into animal feed, or destroying it, under the supervision of the Food and Drug Administration.

**11474. Adulteration of salted peanuts. U. S. v. 120 Boxes, etc. (F. D. C. Nos. 20633, 20884, 20885. Sample Nos. 43494-H, 61429-H, 61435-H.)**

**LIBELS FILED:** August 16 and September 17 and 18, 1946, District of Utah and Western District of Washington.