

**12732. Adulteration of brazil nuts. U. S. v. 10 Boxes \* \* \*. (F. D. C. No. 24162. Sample No. 12234-K.)**

**LIBEL FILED:** December 1, 1947, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about October 15, 1947, by William A. Higgins & Co., Inc., from New York, N. Y.

**PRODUCT:** 10 40-pound boxes of brazil nuts at Allentown, Pa.

**LABEL, IN PART:** "New Crop Holly Brand Brazil Nuts."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of wormy brazil nuts and of a decomposed substance by reason of the presence of moldy and otherwise decomposed brazil nuts, and it was otherwise unfit for food by reason of the presence of empty shells.

**DISPOSITION:** January 19, 1948. Default decree of condemnation and destruction.

**12733. Adulteration of filberts. U. S. v. 30 Bags \* \* \*. (F. D. C. No. 24133. Sample No. 12224-K.)**

**LIBEL FILED:** November 25, 1947, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about October 16, 1947, by Wm. A. Higgins & Co., Inc., from New York, N. Y.

**PRODUCT:** 30 100-pound bags of filberts at Philadelphia, Pa.

**LABEL, IN PART:** "Ensign Brand Oregon No. 1 Large Barcelona Filberts Packed by Rosenberg Bros. & Co., San Francisco, Calif."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), empty shells had been substituted in whole or in part for filberts.

**DISPOSITION:** December 10, 1947. Wm. A. Higgins & Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation and removal of the unfit portion, under the supervision of the Federal Security Agency.

**12734. Adulteration of peanuts. U. S. v. 38 Bags \* \* \*. (F. D. C. No. 24109. Sample No. 12308-K.)**

**LIBEL FILED:** November 17, 1947, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about October 13, 1947, by the Farmers Gin & Warehouse Co., from Blakely, Ga.

**PRODUCT:** 38 bags, each containing 125 pounds, of peanuts at Philadelphia, Pa.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (2), the article contained an added deleterious substance, sulfuric acid, which is unsafe within the meaning of the law, since it is a substance not required in the production of the article and could have been avoided by good manufacturing practice.

**DISPOSITION:** December 18, 1947. Default decree of condemnation and destruction.

**12735. Adulteration of mixed nuts. U. S. v. 207 Cases \* \* \*. (F. D. C. No. 24110. Sample No. 12222-K.)**

**LIBEL FILED:** November 18, 1947, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about September 30, 1947, by the Graham Co., Inc., New York, N. Y.

**PRODUCT:** 207 cases, each containing 24 1-pound boxes, of mixed nuts at Philadelphia, Pa.

**LABEL, IN PART:** "Redbow Extra Fancy Mixed Nuts Walnuts—Almonds—Brazils—Pecans—Filberts."

**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 brazil nuts.

**DISPOSITION:** January 7, 1948. Default decree of condemnation and destruction.

**12736. Adulteration of salted nuts. U. S. v. 6 Cartons, etc. (F. D. C. No. 23890. Sample Nos. 3503-K, 3540-K.)**

**LIBEL FILED:** November 3, 1947, District of Maryland.

**ALLEGED SHIPMENT:** On or about October 8, 1947, by the Kelling Nut Company, from Passaic, N. J.