

DISPOSITION: October 25, 1951. Default decree of condemnation. The court ordered that samples be delivered to the Food and Drug Administration and that the remainder be destroyed.

NUTS AND NUT PRODUCTS*

17834. Adulteration of brazil nuts. U. S. v. 182,103 Pounds * * *. (F. D. C. No. 29769. Sample No. 73033-K.)

LIBEL FILED: September 28, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about June 5, 1950, from Brazil.

PRODUCT: 182,103 pounds of brazil nuts at New York, N. Y.

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 nuts, and it was otherwise unfit for food by reason of the presence of rancid nuts. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 11, 1950. Wm. A. Higgins & Co., Inc., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Federal Security Agency. The segregation operations were completed on or about August 31, 1951, and resulted in the release of about 135,000 pounds of the product as fit for human consumption.

17835. Adulteration of peanut butter. U. S. v. The Kelly Co. Plea of nolo contendere. Fine of \$250, plus costs. (F. D. C. No. 31118. Sample No. 7391-L.)

INFORMATION FILED: July 24, 1951, Northern District of Ohio, against the Kelly Co., a corporation, Cleveland, Ohio.

ALLEGED SHIPMENT: On or about January 24, 1951, from the State of Ohio into the State of New York.

LABEL, IN PART: "Nutritious Dixie Brand Peanut Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (4), the product had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 10, 1951. A plea of nolo contendere having been entered, the court fined the defendant \$250, plus costs.

17836. Adulteration of peanut butter. U. S. v. 11 Cases, etc. (F. D. C. No. 31163. Sample Nos. 5511-L, 5512-L.)

LIBEL FILED: May 28, 1951, District of Maine.

ALLEGED SHIPMENT: On or about April 18, 1851, by John W. Leavitt Co., from Boston, Mass.

PRODUCT: Peanut butter. 11 cases, each containing 24 15-ounce jars, and 4 cases, each containing 24 8-ounce jars, at Rockland, Maine.

LABEL, IN PART: (Jar) "Teddie Homogenized Peanut Butter."

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 insect

*See also No. 17813.