

LABEL, IN PART: (Can) "Musselman's Made From Whole Tomatoes and Trimmings Tomato Puree."

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 fly eggs and maggots, and of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: February 5, 1952. Default decree of condemnation and destruction.

NUTS AND NUT PRODUCTS

18246. Adulteration of unshelled almonds. U. S. v. 133 Bags * * *.
(F. D. C. No. 32410. Sample No. 9621-L.)

LIBEL FILED: January 14, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about September 27, 1951, by the California Almond Growers Exchange, from Sacramento, Calif.

PRODUCT: 133 80-pound bags of unshelled almonds at Chicago, Ill.

LABEL, IN PART: "California Almonds Fancy Blue Diamond Brand."

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-infested almonds, and it was otherwise unfit for food by reason of the presence of gummy nuts, shriveled nuts, and empty shells.

DISPOSITION: January 25, 1952. The California Almond Growers Exchange, Sacramento, Calif., 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 of the good portion from the bad and destruction of the bad portion, under the supervision of the Federal Security Agency. Segregation was accomplished by shelling the almonds and picking the fit portion from the unfit. The unfit portion, consisting of 354 pounds, was destroyed. 48 100-pound bags of whole almonds and 178 pounds of almond pieces were released as fit.

18247. Adulteration of coconut. U. S. v. 23 Bags * * *. (F. D. C. No. 31882. Sample No. 16193-L.)

LIBEL FILED: On or about October 17, 1951, Western District of Missouri.

ALLEGED SHIPMENT: On or about August 28, 1951, from New York, N. Y.

PRODUCT: 23 100-pound bags of coconut at Kansas City, Mo., in possession of the Chicago Great Western Railway Co.

RESULTS OF INVESTIGATION: The article was stored under insanitary conditions in a warehouse which was subjected to flood waters and inadequately cleaned.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of flies; and Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 14, 1951. Default decree of condemnation and destruction.