

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance by reason of the presence of decomposed tomato material.

**DISPOSITION:** January 18, 1952. A plea of guilty having been entered, the court imposed a fine of \$500 on the first count of the information, suspended imposition of sentence on the second count, and placed the defendant on probation for 2 years.

## NUTS

**18289. Adulteration of shelled almonds. U. S. v. 141 Cartons, etc. (F. D. C. No. 31513. Sample Nos. 19513-L, 19515-L.)**

**LABEL FILED:** September 5, 1951, District of Minnesota.

**ALLEGED SHIPMENT:** On or about July 21, 1951, from Hoboken, N. J.

**PRODUCT:** 141 cartons, each containing 40 pounds, and 21 bags, each containing 50 kilos, of shelled almonds at Minneapolis, Minn.

**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 insect-infested and insect-damaged nuts. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** September 18, 1951. The Johnson Nut Co., Minneapolis, Minn., 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, conditioned that it be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was processed to eliminate all filth and objectionable material. Of the 7,865 pounds seized, 7,657 pounds were salvaged as fit.

**18290. Adulteration of peanuts in shell. U. S. v. 150 Bags \* \* \*. (F. D. C. No. 31462. Sample No. 30049-L.)**

**LABEL FILED:** August 9, 1951, Western District of Washington.

**ALLEGED SHIPMENT:** On or about December 16, 1950, from Suffolk, Va.

**PRODUCT:** 150 bags, each containing approximately 89 pounds, of peanuts in shell at Seattle, Wash.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insect-infested and moldy peanuts. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** January 24, 1952. Manning's Inc., Seattle, Wash., 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, conditioned that it be denatured for use as hog feed.

**18291. Adulteration of peanuts in shell. U. S. v. 56 Bags \* \* \*. (F. D. C. No. 31873. Sample No. 35690-L.)**

**LABEL FILED:** October 9, 1951, District of Minnesota.

**ALLEGED SHIPMENT:** On or about November 15, 1950, and May 21, 1951, from Suffolk, Va.

**PRODUCT:** 56 100-pound bags of peanuts in shell at Pipestone, Minn., in possession of the Robson Grocery Co.

**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 rodent excreta, rodent urine, and rodent-gnawed peanuts; 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 15, 1951. The Robson Grocery Co., 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, under the supervision of the Food and Drug Administration. Salvage operations resulted in the destruction of 450 pounds of peanuts as unfit.

### POULTRY

**18292. Adulteration of dressed poultry. U. S. v. 18 Crates \* \* \*. (F. D. C. No. 32396. Sample No. 38321-L.)**

**LABEL FILED:** January 4, 1952, Southern District of New York.

**ALLEGED SHIPMENT:** On or about December 11, 1951, by H & H Poultry Co., Inc., from Selbyville, Del.

**PRODUCT:** 18 crates containing approximately 1,350 pounds of dressed poultry at New York, N. Y.

**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 fecal matter and crop matter, and of a decomposed substance by reason of the presence of decomposed birds; and, Section 402 (a) (5), it was in whole or in part the product of a diseased animal.

**DISPOSITION:** February 13, 1952. H & H Poultry Co., Inc., 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 salvaging so as to remove the portions of the product which were contaminated with fecal matter, feathers, and other extraneous filth; to remove those birds which were diseased or which had died otherwise than by slaughter; and to remove such fecal matter, feathers, and other extraneous filth by scrubbing, under the supervision of the Federal Security Agency. Salvage operations resulted in the release of 384 birds as good, but in the destruction of 105 birds as unfit.

**18293. Adulteration of dressed poultry. U. S. v. 155 Pounds \* \* \*. (F. D. C. No. 32502. Sample No. 38328-L.)**

**LABEL FILED:** February 11, 1952, Southern District of New York.

**ALLEGED SHIPMENT:** On or about January 22, 1952, by the Vineland Live & Dressed Poultry Co., from Norma, N. J.

**PRODUCT:** 155 pounds of dressed poultry in 2 second-hand crates at New York, N. Y.

**LABEL, IN PART:** (Tag) "Vineland Live & Dressed Poultry Co., Norma, N. J."

**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 birds contaminated with fecal matter and crop material; and, Section 402 (a) (5), it was in whole or in part the product of a diseased animal.

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