

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

DISPOSITION: February 25, 1952. The Continental Nut 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 and destruction of the unfit portion, under the supervision of the Federal Security Agency. As a result of the segregation operations, 142 pounds of nuts were found unfit and were destroyed by feeding them to animals.

18637. Adulteration of brazil nuts. U. S. v. 124 Bags * * *. (F. D. C. No. 32337. Sample Nos. 16976-L, 17696-L.)

LABEL FILED: January 7, 1952, Southern District of California.

ALLEGED SHIPMENT: From Brazil. The date of shipment is unknown.

PRODUCT: 124 100-pound bags of brazil nuts at Los Angeles, Calif.

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 insects, and of a decomposed substance by reason of the presence of moldy, rancid, and otherwise decomposed nuts. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 25, 1952. Venus Foods, Inc., Los Angeles, 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 reconditioning, under the supervision of the Federal Security Agency. The reconditioning operation resulted in the segregation and denaturing of 2,041 pounds of the product as unfit.

18638. Adulteration of brazil nuts. U. S. v. 2 Bags * * * (and 1 other seizure action). (F. D. C. Nos. 32309, 32310. Sample Nos. 13962-L, 13965-L.)

LABELS FILED: December 21, 1951, and January 2, 1952, District of Colorado.

ALLEGED SHIPMENT: On or about November 5 and 6, 1951, by Hudson House, Inc., from Portland, Oreg.

PRODUCT: 2 100-pound bags, 24 100-pound bags, and 29 20-pound bags of brazil nuts at Denver, Colo.

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 nuts, and of a decomposed substance by reason of the presence of moldy, rancid, and otherwise decomposed nuts.

DISPOSITION: February 15 and 18, 1952. Default decrees of condemnation and destruction. On February 26, 1952, an amended decree was entered against the 24-bag lot and the 29-bag lot, pursuant to which the court ordered that they be delivered to a Federal institution, to be used for animal feed. The 2-bag lot was destroyed.

POULTRY

18639. Adulteration of dressed poultry. U. S. v. 30 Boxes * * *. (F. D. C. No. 32348. Sample No. 8167-L.)

LABEL FILED: January 2, 1952, Western District of New York.

ALLEGED SHIPMENT: In or about October 8, 1951, by Hallren Produce, Chicago, Ill.

PRODUCT: 30 boxes, each containing 12 head, of dressed poultry at Buffalo, 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 decomposed birds; and, Section 402 (b) (4), water had been added to the article and mixed and packed with it so as to increase its bulk or weight.

DISPOSITION: January 28, 1952. The Hallren Poultry & Creamery Co., Fairview, Okla., 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 to be brought into compliance with the law, under the supervision of the Federal Security Agency. The product involved in the above-mentioned libel proceedings and the product involved in the cases reported in the following notice of judgment, No. 18640, were examined together. A total of 1,348 pounds of poultry was found unfit and was destroyed.

18640. Adulteration of frozen dressed poultry. U. S. v. 300 Crates * * *
(and 1 other seizure action). (F. D. C. Nos. 32122, 32307. Sample Nos. 7268-L, 7272-L.)

LIBELS FILED: November 23 and December 20, 1951, Western District of New York.

ALLEGED SHIPMENT: On or about July 21 and August 9, 1951, by the Hallren Poultry & Creamery Co., from Fairview, Okla.

PRODUCT: 300 crates, each containing 12 head, and 15 boxes, each containing 24 head, of frozen dressed poultry at Buffalo, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), water which subsequently was changed to ice had been added to the article and packed with it so as to increase its bulk or weight. (Examination disclosed that the birds were covered with a coating of ice. Each bird was packaged in a plastic bag.)

DISPOSITION: December 11, 1951, and January 28, 1952. The Hallren Poultry & Creamery 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 to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product involved in the above-mentioned libel proceedings and the product involved in the case reported in the preceding notice of judgment, No. 18639, were examined together. A total of 1,348 pounds of poultry was found unfit and was destroyed.

18641. Adulteration of dressed poultry. U. S. v. 40 Boxes, etc. (F. D. C. Nos. 32607, 32608. Sample Nos. 2846-L, 2847-L.)

LIBEL FILED: January 21, 1952, Western District of Virginia.

ALLEGED SHIPMENT: On or about January 14, 1952, by the Farmers Mutual Poultry Dept., from Durham, N. C.

PRODUCT: Dressed poultry. 58 boxes, each containing 25 birds, 3 boxes, each containing 10 birds, and 5 barrels, each containing 60 birds, at Roanoke and Lynchburg, Va.

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 crop, gizzard, and intestinal material.