

DISPOSITION: October 27, 1952. The shipper, claimant, having withdrawn its claim, judgment of condemnation and destruction was entered.

19437. Adulteration of tomato juice. U. S. v. 11 Cases * * * (and one other seizure action). (F. D. C. Nos. 33452, 33453. Sample Nos. 29663-L, 29664-L.)

LIBELS FILED: On or about July 8, 1952, District of Montana.

ALLEGED SHIPMENT: On or about October 12, 1951, and February 28, 1952, by the Pacific Fruit & Produce Co., from Oakland, Calif.

PRODUCT: 11 cases, each containing 48 5½-ounce cans, of tomato juice at Bozeman, Mont., and 48 cases, each containing 48 5½-ounce cans, of tomato juice at Butte, Mont.

LABEL, IN PART: (Can) "Standby Fancy Tomato Juice."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: October 22, 1952. Default decrees of condemnation. The court ordered that the marshal deliver the product to the State hospital, for use as animal feed; that if the product was not accepted by the hospital, that the marshal deliver it to some similar public institution; and that if no such institution would accept it, that it be destroyed.

NUTS AND NUT PRODUCTS

19438. Adulteration of shelled peanuts. U. S. v. 7 Bags * * *. (F. D. C. No. 33555. Sample No. 3548-L.)

LIBEL FILED: August 26, 1952, Eastern District of North Carolina.

ALLEGED SHIPMENT: On or about May 28, 1952, from Hawkinsville, Ga.

PRODUCT: 7 120-pound bags of shelled peanuts at Dunn, N. C.

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 insects. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 26, 1952. Default decree of condemnation and destruction.

19439. Adulteration of pistachio nuts. U. S. v. 18 Bags, etc. (F. D. C. No. 33554. Sample Nos. 37215-L, 37216-L.)

LIBEL FILED: August 25, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about February 2, 1952, from Italy and Iran.

PRODUCT: 29 150-pound bags of pistachio nuts at New York, N. Y.

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 wormy nuts, and of a decomposed substance by reason of the presence of decomposed nuts; and it was otherwise unfit for food by reason of the presence of empty shells. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 26, 1952. Joseph A. Zaloom & Co., 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. Approximately 635 pounds of the product were found unfit and were denatured.

19440. Adulteration of pistachio nuts. U. S. v. 20 Bags * * *. (F. D. C. No. 33503. Sample No. 37212-L.)

LIBEL FILED: August 1, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about January 4, 1952, from Iran.

PRODUCT: 20 150-pound bags of pistachio nuts at New York, N. Y.

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. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: August 29, 1952. The American Pistachio Corp., 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. As a result of the segregation operations, 117 pounds of the product were found unfit and were denatured and 2,528 pounds were salvaged.

19441. Adulteration of desiccated coconut. U. S. v. 52 Bags * * *. (F. D. C. No. 33279. Sample No. 4043-L.)

LIBEL FILED: On or about May 29, 1952, District of Maryland.

ALLEGED SHIPMENT: On or about December 18, 1951, from Columbus, Ohio.

PRODUCT: 52 100-pound bags of desiccated coconut at Baltimore, Md., in the possession of the Rukert Terminals Corp.

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 insects, rodent urine, and rodent excreta; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: June 3, 1952. The Rukert Terminals Corp., claimant, having admitted the allegations in the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be segregated and reconditioned in compliance with the law, under the supervision of the Food and Drug Administration. 42 bags of the product were salvaged, and the remainder were denatured.

POULTRY

19442. Adulteration of dressed poultry. U. S. v. 6 Crates * * *. (F. D. C. No. 33494. Sample No. 44227-L.)

LIBEL FILED: July 25, 1952, District of Massachusetts.

ALLEGED SHIPMENT: On or about July 21, 1952, by Gaidmore Poultry Co., Inc., from Milford, N. H.

PRODUCT: 6 60-pound crates of dressed poultry at Boston, Mass.