

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 insect parts.

DISPOSITION: August 10, 1954. Default decree of condemnation and destruction.

NUTS*

21539. Adulteration of brazil nuts. U. S. v. 15 Cases, etc. (F. D. C. No. 36773. Sample Nos. 79322-L, 79323-L.)

LIBEL FILED: June 28, 1954, Southern District of Ohio.

ALLEGED SHIPMENT: During 1952 or 1953, from New York, N. Y.

PRODUCT: 15 cases, each containing 25 1-pound bags, and 7 50-pound bags, of brazil nuts at Zanesville, Ohio.

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, rancid, and 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 7, 1954. Default decree of destruction.

21540. Adulteration of unshelled pecans. U. S. v. 56 Bags * * *. (F. D. C. No. 36787. Sample No. 83666-L.)

LIBEL FILED: July 13, 1954, Southern District of Iowa.

ALLEGED SHIPMENT: On or about November 10, 1953, from Albany, Ga.

PRODUCT: 56 25-pound bags of unshelled pecans at Des Moines, Iowa.

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

DISPOSITION: August 11, 1954. Super Valu Stores, Inc., Des Moines, Iowa, 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 Department of Health, Education, and Welfare. As a result of the reconditioning operations, 115 pounds of pecans were found unfit and were destroyed.

21541. Adulteration of unshelled walnuts. U. S. v. 319 Bags * * *. (F. D. C. No. 36848. Sample Nos. 89870-L, 89932-L.)

LIBEL FILED: June 21, 1954, District of Massachusetts.

ALLEGED SHIPMENT: On or about April 20, 1953, from Vancouver, Wash.

PRODUCT: 319 100-pound bags of unshelled walnuts at Somerville, Mass., in possession of McGrath Storage & Warehouse Co., Inc.

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 and rodent urine; 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.

*See also No. 21521.