

INFORMATION FILED: 12-7-59, S. Dist. Calif., against Overland Terminal Warehouse Co., a corporation, Los Angeles, Calif.

ALLEGED VIOLATION: Between 4-27-58 and 12-1-58, while quantities of peanuts and split peas were being held for sale after shipment in interstate commerce, the defendant caused the articles to be held in a building accessible to rodents and to be exposed to contamination by rodents which acts resulted in the articles being adulterated.

CHARGE: 402(a) (3)—contained a filthy substance; and 402(a) (4)—held under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 2-2-60. Fine of \$2,000.

**26441. Shelled walnuts.** (F.D.C. No. 43826. S. No. 69-392 P.)

QUANTITY: 25 25-lb. ctns. at Newport, Minn.

SHIPPED: 10-14-59, from San Jose, Calif.

LBELED: 11-25-59, Dist. Minn.

CHARGE: 402(a) (3)—contained insects while held for sale.

DISPOSITION: 1-15-60. Consent—claimed by Santa Clara Nut Co., San Jose, Calif. Segregated; 25 lbs. denatured.

**26442. Shelled walnuts.** (F.D.C. No. 43249. S. Nos. 19-258/9 P, 22-254 P.)

INFORMATION FILED: 10-16-59, N. Dist. Calif., against Santa Clara Nut Co., a partnership, San Jose, Calif., Leslie Albaum, sales manager, and Jim Pusateri, partner.

SHIPPED: 10-3-58 and 11-7-58, from California to Colorado and Nebraska.

LABEL IN PART: (Ctn.) "Light and Light Amber Halves & Pieces" and "Light Pieces California Walnut Meats."

CHARGE: 402(a) (3)—contained insects, insect fragments, and insect excreta; and 402(a) (4)—prepared and packed under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 2-17-60. The court placed each defendant on probation for 1 year; fined Jim Pusateri \$500, and Leslie Albaum \$250.

**26443. Unshelled filberts.** (F.D.C. No. 43839. S. No. 69-221 P.)

QUANTITY: 376 cases, 24 1-lb. bags each, at Hopkins, Minn.

SHIPPED: 10-24-59, from Portland, Oreg.

LBELED: 12-1-59, Dist. Minn.

CHARGE: 402(a) (3)—contained insects, moldy nuts, shriveled nuts, and empty shells while held for sale.

DISPOSITION: 1-15-60. Consent—claimed by Hudson House, Inc., Portland, Oreg. Segregated; 5,088 lbs. destroyed.

**26444. Mixed nuts.** (F.D.C. No. 43932. S. No. 72-108 P.)

QUANTITY: 18 cases, 24 1-lb. bags each, at Forest Park, Ga.

SHIPPED: 10-15-59, from Chico, Calif., by Continental Nut Co.

LABEL IN PART: (Bag) "Red Ribbon Fancy Mixed Nuts \* \* \* Packed by Continental Nut Co. Chico, Calif."

LBELED: 11-27-59, N. Dist. Ga.

CHARGE: 402(a)(3)—contained insects and moldy and shriveled nuts when shipped.

DISPOSITION: 1-6-60. Default—destruction.

**26445. Mixed nuts.** (F.D.C. No. 43953. S. No. 71-770 P.)

QUANTITY: 11 cases, 24 1-lb. bags each, and 50 1-lb. bags at Atlanta, Ga.

SHIPPED: 10-16-59, from Chico, Calif.

LIBELED: 12-7-59, N. Dist. Ga.

CHARGE: 402(a)(3)—contained insects and moldy, decomposed, rancid, shriveled nuts, and empty shells while held for sale.

DISPOSITION: 1-14-60. Default—destruction.

**26446. Pistachio nuts.** (F.D.C. No. 44387. S. No. 11-401 R.)

QUANTITY: 18 cases, 24 6-oz. pkgs. each, at Chicago, Ill.

SHIPPED: 10-16-59, from New York, N.Y.

LIBELED: 3-24-60, N. Dist. Ill.

CHARGE: 402(a)(3)—contained insects, insect webbing, and insect larvae while held for sale.

DISPOSITION: 4-25-60. Default—destruction.

### SPICES, FLAVORS, AND SEASONING MATERIALS\*

**26447. Sesame seed.** (F.D.C. No. 44107. S. No. 41-941 R.)

QUANTITY: 74 100-lb. bags at San Francisco, Calif.

SHIPPED: 1-5-60 and 2-18-60, from Nicaragua.

LIBELED: 3-25-60, N. Dist. Calif.

CHARGE: 402(a)(3)—contained rodent urine while held for sale.

DISPOSITION: 4-1-60. Consent—claimed by Lastreto-Phillips Commercial, Co., Inc., San Francisco, Calif. Segregated; 364 lbs. destroyed.

**26448. Paprika.** (F.D.C. No. 44411. S. No. 72-630 P.)

QUANTITY: 8 110-lb. bags at New York, N.Y.

SHIPPED: From Hungary.

LIBELED: 4-4-60, S. Dist. N.Y.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 4-22-60. Default—destruction.

### VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

**26449. Vitamin tablets.** (F.D.C. No. 43930. S. No. 78-625 P.)

QUANTITY: 3 drums containing about 126,000 tablets, and 6 1,000-tablet btls., at Dearborn, Mich., in possession of North American Pharmacal.

SHIPPED: 8-7-59, from Englewood, N.J., by Zenith Laboratories, Inc.

LABEL IN PART: (Drum) "Zenith Laboratories, Inc. \* \* \* Chewable Vitamin Tablets" and (btl.) "Multi-Vite \* \* \* Distributed by North American Pharmacal."

\*See also No. 26407.