

On March 14 and April 8, 1940, the United States attorney for the Southern District of New York filed libels against 900 pounds and 3 barrels of dressed poultry at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about March 4 and April 9, 1940, by the H & H Poultry Co., Inc., from Selbyville, Del.; and charging that it was adulterated.

Both lots of poultry were alleged to be adulterated in that it was in whole or in part the product of diseased animals or of animals which had died otherwise than by slaughter. One lot was alleged to be adulterated further in that it consisted in whole or in part of a filthy substance or was otherwise unfit for food.

On April 4 and May 10, 1940, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

NUTS AND NUT PRODUCTS

666. Adulteration of shelled almonds. U. S. v. 5 Sacks of Shelled Almonds. Default decree of condemnation and destruction. (F. D. C. No. 1229. Sample No. 90908-D.)

This product was in interstate commerce at the time of examination and was found to be worm-damaged at that time.

On December 22, 1939, the United States attorney for the Western District of Washington filed a libel against 5 sacks, each containing 160 pounds, of shelled almonds at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about April 4, 1939, by Pacific Coast Nut House from San Jose, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Broken Nonpareil."

On March 25, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

667. Adulteration of Brazil nuts. U. S. v. 60 Bags of Brazil Nuts. Decree ordering product released under bond for sorting. Amended decree of condemnation and destruction. (F. D. C. No. 988. Sample No. 82574-D.)

This product was in interstate commerce when examined and was found to be in whole or in part moldy, rancid, and decomposed at that time.

On November 17, 1939, the United States attorney for the Western District of North Carolina filed a libel against 60 bags of Brazil nuts at Charlotte, N. C., alleging that the article had been shipped in interstate commerce on or about February 24, 1939, by Wm. A. Camp Co., Inc., from Philadelphia, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part "Tropical Brand."

On December 11, 1939, the Southern Fruit Co., Inc., having appeared as claimant, the product was ordered released under bond for sorting and disposal pursuant to law. On April 5, 1940, the court having found that the nuts had not been brought into compliance with the law, an amended decree was entered ordering their condemnation and destruction.

668. Adulteration of shelled peanuts. U. S. v. 170 Bags of Shelled Peanuts. Consent decree of condemnation. Product released under bond for segregation of the good nuts and destruction of the unfit ones. (F. D. C. No. 1665. Sample No. 10302-E.)

This product was in interstate commerce when examined and was found to be dirty, rancid, and decomposed at that time.

On March 19, 1940, the United States attorney for the Eastern District of New York filed a libel against 170 bags, each containing 120 pounds, of shelled Spanish peanuts at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about February 21, 1940, by the Farmers Produce Co. from Thomasville, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On April 22, 1940, the National Almond Products Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the bad nuts.

669. Adulteration of shelled peanuts. U. S. v. 28 Bags of Shelled Peanuts. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 1644. Sample No. 364-E.)

This product was in interstate commerce when examined and was found to be in whole or in part dirty and decomposed at that time.