

4861. Adulteration of Brazil nuts. U. S. v. 4 Bags of Brazil Nuts. Default decree of condemnation and destruction. (F. D. C. No. 8989. Sample No. 28740-F.)

On December 10, 1942, the United States attorney for the Western District of North Carolina filed a libel against 4 100-pound bags of Brazil nuts at Charlotte, N. C., alleging that the article had been shipped in interstate commerce on or about October 16, 1942, by the General Foods Sales Co., Inc., from Jersey City, N. J.; 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: "King Cole Brites large Brazil Nuts. Distributed by Baker-Bennett-Day Division of General Foods Sales Co., Inc."

On January 22, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4862. Adulteration of nuts. U. S. v. 100 Bags of Brazil Nuts and 60 Cartons of Mixed Nuts. Decrees of condemnation. Mixed nuts ordered destroyed. Brazil nuts ordered released under bond for segregation and destruction of unfit portion. (F. D. C. Nos. 8881, 9072. Sample Nos. 18129-F, 28753-F.)

On November 16 and December 28, 1942, the United States attorneys for the District of New Jersey and the Western District of North Carolina filed libels against 100 bags, each containing 100 pounds, of Brazil nuts at South Kearny, N. J., and 60 cartons, each containing 25 pounds, of mixed nuts at Charlotte, N. C., alleging that the articles had been shipped in interstate commerce on or about October 8 and November 25, 1942, by the W. A. Camp Co., Inc., New York, N. Y.; and charging that they were adulterated in that they consisted in whole or in part of a filthy and decomposed substance. The articles were labeled in part: "Tropical Brand New Crop Large Washed Brazils," or "Competition Brand Mixed Nuts."

On January 28, 1943, Wm. A. Camp Co., Inc., claimant for the Brazil nuts, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation of the fit portion from the unfit and destruction of the latter.

On February 5, 1943, no claimant having appeared for the mixed nuts, judgment of condemnation was entered and the product was ordered destroyed.

4863. Adulteration of peanuts. U. S. v. 146 Bags and 191 Bags of Peanuts. Decree of condemnation. Product ordered released under bond for segregation of the portion unfit for human consumption and its utilization as animal feed. (F. D. C. Nos. 9186, 9207. Sample Nos. 28687-F, 28688-F.)

This product was decomposed, rancid, and wormy, and contained dirty peanuts and foreign material.

On or about January 20, 1943, the United States attorney for the Southern District of Florida filed libels against a total of 337 125-pound bags of peanuts at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about December 14, and 21, 1942, by the Ashburn Peanut Co. from Ashburn, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance.

On February 3, 1943, the Ashburn Peanut Co., claimant, having admitted the allegations of the libels, a consolidated decree of condemnation was entered and the product was ordered released under bond for segregation of the portion fit for human consumption from the portion unfit for such use, and disposal of the latter as animal feed.

4864. Adulteration of peanuts. U. S. v. 27 Bags of Peanuts. Consent decree of condemnation. Product ordered released under bond for reconditioning or destruction. (F. D. C. No. 9484. Sample No. 32016-F.)

On March 4, 1943, the United States attorney for the Southern District of Indiana filed a libel against 27 100-pound bags of peanuts at Indianapolis, Ind., alleging that the article had been shipped in interstate commerce on or about December 16, 1942, from Fort Gaines, Ga., and that it was in the possession of Food Specialties, Inc.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, rodent excreta, and in that it had been held under insanitary conditions whereby it may have become contaminated with filth.

On April 3, 1943, Food Specialties, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be brought into compliance with the law or destroyed under supervision of the Food and Drug Administration.