

**ALLEGED SHIPMENT:** On or about November 18, 1946, by the Omaha Cold Storage Co., from the State of Nebraska into the State of New York.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of contamination with fecal matter, and of a decomposed substance by reason of the presence of decomposed turkeys.

**DISPOSITION:** November 6, 1947. A plea of nolo contendere having been entered on behalf of the defendants, the corporation was fined \$300 and costs and the individual was fined \$50.

**11981. Adulteration of frozen turkeys. U. S. v. Irving Manaster Co., a corporation, and Irving Manaster. Pleas of nolo contendere. Corporate defendant fined \$200 and costs; individual defendant fined \$100. (F. D. C. No. 22001. Sample No. 65030-H.)**

**INFORMATION FILED:** March 10, 1947, Northern District of Illinois, against the Irving Manaster Co., Chicago, Ill., and Irving Manaster, president and treasurer.

**ALLEGED SHIPMENT:** On or about June 4, 1946, from the State of Illinois into the State of Pennsylvania.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of its contamination with fecal matter, and of a decomposed substance by reason of the presence of decomposed poultry.

**DISPOSITION:** April 11, 1947. Pleas of nolo contendere having been entered, the court imposed fines of \$200 and costs against the corporate defendant and \$100 against the individual defendant.

**11982. Adulteration of frozen turkeys. U. S. v. 77 Boxes \* \* \*. (F. D. C. No. 21981. Sample No. 57255-H.)**

**LABEL FILED:** December 18, 1946, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about October 3 and 15, 1946, by Swift & Co., from Holyoke, Colo.

**PRODUCT:** 77 95-pound boxes of frozen turkeys at Springfield, Mass.

**LABEL, IN PART:** "Swift Premium Turkeys."

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

**DISPOSITION:** February 12, 1947. Swift & Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

**11983. Adulteration of frozen turkeys. U. S. v. 16 Boxes \* \* \*. (F. D. C. No. 21918. Sample Nos. 39203-H, 39205-H.)**

**LABEL FILED:** October 17, 1946, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about September 23, 1946, by Armour Creameries, from Marysville, Kans.

**PRODUCT:** 16 boxes of frozen turkeys at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (5), the product consisted in whole or in part of diseased animals, or of animals which had died otherwise than by slaughter.

**DISPOSITION:** April 9, 1947. Default decree of condemnation. The product was ordered denatured and delivered to a public institution, for use as animal feed.

## NUTS

**11984. Adulteration of brazil nuts. U. S. v. 50 Bags \* \* \*. (F. D. C. No. 21986. Sample No. 65457-H.)**

**LABEL FILED:** December 17, 1946, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 27, 1946, by the Red Line Commercial Co., from New York, N. Y.

**PRODUCT:** 50 100-pound bags of brazil nuts at Philadelphia, Pa.

**LABEL, IN PART:** "Amazon Brand."

**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 brazil nuts, and was otherwise unfit for food by reason of the presence of empty shells.

**DISPOSITION:** February 13, 1947. The Red Line Commercial Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, to be brought into compliance with the law by destruction of the unfit nuts, under the supervision of the Federal Security Agency.

**11985. Adulteration of brazil nuts. U. S. v. 12 Bags \* \* \*. (F. D. C. No. 21861. Sample No. 17067-H.)**

**LIBEL FILED:** December 23, 1946, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about October 1, 1946, by the William A. Camp Co., Inc., from New York, N. Y.

**PRODUCT:** 12 100-pound bags of brazil nuts at Chicago, Ill.

**LABEL, IN PART:** "Tropical Brand New Crop Large Washed Brazils."

**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 brazil nuts, and was otherwise unfit for food by reason of the presence of empty shells.

**DISPOSITION:** March 14, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution or destroyed. It was delivered to an institution, to be used as animal feed.

**11986. Adulteration of peanuts. U. S. v. 12 Bags \* \* \*. (F. D. C. No. 21817. Sample No. 72634-H.)**

**LIBEL FILED:** December 3, 1946, District of Utah.

**ALLEGED SHIPMENT:** On or about October 30, 1945, by the Consumers Peanut Co., from Carbon, Tex.

**PRODUCT:** 12 122-pound bags of peanuts at Provo, Utah.

**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 larvae, insect excreta, and webbing.

**DISPOSITION:** August 1, 1947. Default decree entered. The product was ordered disposed of for use as animal feed.

**11987. Adulteration of shelled peanuts. U. S. v. 204 Bags \* \* \*. (F. D. C. No. 21845. Sample No. 48159-H.)**

**LIBEL FILED:** December 10, 1946, District of Utah.

**ALLEGED SHIPMENT:** Between the approximate dates of January 17 and March 29, 1946, from Dublin, Tex., Portales, N. Mex., and Durant, Okla.

**PRODUCT:** 204 115-pound bags of shelled peanuts at Salt Lake City, Utah, in possession of the Cornwall Warehouse Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent excreta and rodent hairs.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** December 16, 1946. The Sweet Candy Company, Salt Lake City, Utah, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be disposed of in compliance with the law, under the supervision of the Food and Drug Administration. The product was reconditioned by removal and destruction of all contaminated peanuts.

**11988. Adulteration of pecans. U. S. v. 75 Bags \* \* \* (and 1 other seizure action). (F. D. C. Nos. 21580, 22337. Sample Nos. 8933-H, 39516-H.)**

**LIBELS FILED:** October 30 and December 30, 1946, Southern District of New York and Eastern District of Wisconsin.