

**23000. Shelled walnuts.** (F. D. C. No. 38846. S. No. 40-355 M.)

**QUANTITY:** 10 25-lb. cartons at St. Paul, Minn.

**SHIPPED:** 12-9-55, from Canoga Park, Calif.

**LIBELED:** 2-8-56, Dist. Minn.

**CHARGE:** 402 (a) (3)—contained insect-infested and insect-damaged walnuts while held for sale.

**DISPOSITION:** 2-24-56. Consent—claimed by Fisher Nut Co., St. Paul, Minn. Segregated, 16 lbs. destroyed.

# U. S. Department of Health, Education, and Welfare

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

23001-23050

#### FOODS

The cases reported herewith were instituted in the United States district courts by United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. They involve foods which were adulterated within the meaning of the Act when introduced into and while in interstate commerce, or while held for sale after shipment in interstate commerce. These cases involve (1) seizure proceedings which were terminated with the entry of default or consent decrees of condemnation and (2) criminal proceedings which were terminated upon pleas of guilty or nolo contendere. The seizure proceedings are civil actions taken against the *goods* alleged to be in violation, and the criminal proceedings are against the *firms or individuals* charged to be responsible for violations.

Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., November 9, 1956.

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**SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS  
REPORTED IN F. N. J. NOS. 23001-23050**

*Adulteration*, Section 402 (a) (2), the article was a raw agricultural commodity and contained a pesticide chemical which was unsafe within the meaning of Section 408 (a); Section 402 (a) (3), the article consisted in part of a filthy or decomposed substance, or was otherwise unfit for food; Section 402 (a) (4), the article had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; Section 402 (a) (5), the article was in whole or in part the product of a diseased animal; Section 402 (b) (2), a substance had been substituted wholly or in part for the article; Section 402 (b) (4), a substance had been added to the article or mixed or packed therewith so as to increase its bulk or weight or reduce its quality; Section 408 (a), a poisonous or deleterious pesticide chemical, or a pesticide chemical which is not generally recognized among experts qualified by scientific training and experience to evaluate the safety of pesticide chemicals, as safe for use, had been added to a raw agricultural commodity, and no tolerance or exemption from the requirement of a tolerance for such pesticide chemical in or on the raw agricultural commodity had been prescribed by the Secretary of Health, Education, and Welfare.

## CEREALS AND CEREAL PRODUCTS

### FLOUR

**23001. Flour.** (F. D. C. No. 38166. S. Nos. 86-857 L, 31-109 M.)

**INFORMATION FILED:** 11-14-55, E. Dist. Tenn., against Greeneville Milling Co., a partnership, Greeneville, Tenn., and L. Harold Lane, a partner.

**SHIPPED:** 8-24-54 and 6-28-55, from Tennessee to North Carolina.

**LABEL IN PART:** (Bag) "Enriched 25 Lbs. Net Silver Cloud [or "10 Lbs. Net Wt. Our Best"] Self-Rising Flour Greeneville Milling Company Greeneville, Tenn."

**CHARGE:** 402 (a) (4)—prepared under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 2-6-56. Firm fined \$300 and individual \$200.

**23002. Flour.** (F. D. C. No. 38932. S. Nos. 27-836/7 M.)

**QUANTITY:** 97 25-lb. bags at Elkin, N. C., in possession of Moseley & Reece Wholesale Grocers.

**SHIPPED:** 3-24-55 and 6-22-55, from Buhler, Kans.

**LIBELED:** 1-27-56, M. Dist. N. C.

**CHARGE:** 402 (a) (3)—contained rodent urine; and 402 (a) (4)—held under insanitary conditions.

**DISPOSITION:** 3-29-56. Default—consumption by animals.

**23003. Flour.** (F. D. C. No. 38931. S. Nos. 27-834/5 M.)

**QUANTITY:** 70 50-lb. bags at Elkin, N. C., in possession of Brendle Cash Wholesale, Inc.

**SHIPPED:** Between 11-8-55 and 12-13-55, from Johnson City, Tenn.

**LIBELED:** 1-27-56, M. Dist. N. C.

**CHARGE:** 402 (a) (3)—contained rodent urine; and 402 (a) (4)—held under insanitary conditions.

**DISPOSITION:** 3-29-56. Default—consumption by animals.