LIBELED: 3-8-65, Dist. Nebr.

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

DISPOSITION: 11-16-65. Consent—claimed by Safeway Stores, Inc. The almonds were subsequently destroyed; the pecans were reconditioned.

30677. Shelled mixed nuts. (F.D.C. No. 51174. S. No. 19-596 B.)

QUANTITY: 100 cases, each containing 24 13-oz. cans, at Oakland, Calif., and 13 cases, each containing 24 13-oz. cans, at San Francisco, Calif.

SHIPPED: 12-18-64 and 1-22-65, from Chicago, Ill., by Wolch Nut & Candy Co.

LABEL IN PART: (Can) "Terry Brooke Salted Mixed Nuts * * * Distributed by Terry Brooke Nut Co., Chicago 47, Illinois."

LIBELED: 4-27-65, N. Dist. Calif.

CHARGE: 402(a)(3)—contained rodents and rodent hairs when shipped.

DISPOSITION: 10-19-65. Default—destruction.

30678. Shelled mixed nuts. (F.D.C. No. 51484. S. No. 20-555 B.)

QUANTITY: 18 cases, each containing 24 13-oz. cans, at Pleasant Hill, Calif.

SHIPPED: 12-18-64 and 1-22-65, from Chicago, Ill., by Wolch Nut & Candy Co.

LABEL IN PART: (Can) "Vacuum Packed Terry Brooke Salted Mixed Nuts * * * Distributed by Terry Brooke Nut Co., Chicago 46, Illinois."

LIBELED: 8-31-65, N. Dist. Calif.

CHARGE: 402(a)(3)—contained rodent hairs when shipped.

DISPOSITION: 10-20-65. Default—destruction.

30679. Shelled mixed nuts. (F.D.C. No. 50880. S. No. 113-189 A.)

QUANTITY: 180 cases, each containing 24 1-lb. pkgs., at Landover, Md.

SHIPPED: 11-17-64 and 11-20-64, from New York, N.Y.

LIBELED: 12-9-64, Dist. Md.

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

DISPOSITION: 1-6-65. Consent—claimed by the Graham Co., Inc., New York, N.Y. Segregated; 21 lbs. destroyed.

30680. Shelled mixed nuts. (F.D.C. No. 51016. S. No. 10-806 B.)

QUANTITY: 579 cases, each containing 12 12-oz. cans, plus 2,400 12-oz. cans, at Seattle, Wash.

SHIPPED: Between 11-17-64 and 1-15-65, from Portland, Oreg., by Hoody Peanut Products Co.

LABEL IN PART: (Can) "Nut Lunch Mixed Nuts with Peanuts * * * Nut Lunch Company Portland, Oregon."

RESULTS OF INVESTIGATION: Examination showed that the article contained by count approximately 91 percent peanuts. The vignette depicted the presence of substantial quantities of mixed nuts other than peanuts, and few peanuts. The cans were filled to approximately 61 percent by volume of the available can capacity. The top and bottom ends of the can were indented to reduce the can volume by approximately 7 percent.

LIBELED: 2-8-65, W. Dist. Wash.; libel amended 2-17-65.