3389. Adulteration of walnuts. U. S. v. 48 Bags of Walnuts. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. (F. D. C. No. 6375. Sample No. 84202–E.)

Examination of this product showed the presence of wormy, moldy, rancid, and decomposed nuts.

On December 9, 1941, the United States attorney for the Southern District of New York filed a libel against 48 100-pound bags of walnuts at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 15, 1940, by B & O Nut Corporation from San Francisco, Calif.; 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: "Tip-Top Brand Jumbo Payne Walnuts."

On January 9, 1942, B & O Nut Corporation, 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 unfit portion under the supervision of the Food and Drug Administration.

3390. Adulteration of mixed nuts. U. S. v. 125 Cartons of Nuts. Consent decree of condemnation. Product ordered released under bond for destruction of unfit portion. (F. D. C. No. 6520. Sample Nos. 79350–E, 79351–E.)

Examination of this product showed the presence of moldy, rancid, or decomposed Brazil nuts.

On December 15, 1941, the United States attorney for the Northern District of Ohio filed a libel against 125 25-pound cartons of mixed nuts at Canton,Ohio, alleging that the article had been shipped in interstate commerce on or about October 9 and November 21, 1941, by Red Line Commercial Co., Inc., from New York, N. Y.; 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: (Carton) "Poppy Brand Choice Mixed Nuts * * * Purity Spice & Seed Mills New York, N. Y."

On March 11, 1942, Red Line Commercial Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for destruction of the unfit portion under the supervision of the Food and Drug Administration.

PEANUT BUTTER

3391. Adulteration of peanut butter. U. S. v. 20 Cases, 15 Cases, and 22 Cases of Peanut Butter (and 2 other seizure actions against peanut butter). Default decrees of condemnation and destruction. (F. D. C. Nos. 6790, 6791, 6932, 6933. Sample Nos. 70415–E, 70417–E, 70733–E, 70736–E.)

Examination showed that this product was contaminated with filth, such as rodent hair fragments, insect fragments, and dirt.

On January 30 and February 27, 1942, the United States attorneys for the Eastern District of Tennessee and the Western District of North Carolina filed libels against the following quantities of peanut butter: 35 cases each containing 12 2-pound jars, 20 cases each containing 24 1-pound jars, and 22 cases each containing 24 6-ounce jars at Chattanooga, Tenn.; and 32 cases each containing 24 6-ounce jars at Hickory, N. C., and 300 cases each containing 24 6-ounce jars at Charlotte, N. C., alleging that the article had been shipped in interstate commerce on or about December 9 and 31, 1941, and January 3 and 17, 1942, by Dillon Candy Co. from Jacksonville, Fla.; and charging that it was adulterated. It was labeled in part: (Jars) "Dillon's Peanut Butter."

The portion of the product at Chattanooga was alleged to be adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance or was otherwise unfit for food. The remainder was alleged to be adulterated in that it consisted in whole or in part of a filthy substance.

On or about March 16 and on April 6, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

3392. Adulteration of peanut butter. U. S. v. 79 Cases and 45 Cases of Peanut Butter. Default decrees of condemnation and destruction. (F. D. C. Nos. 7034, 7035. Sample Nos. 70744–E, 70745–E.)

Examination showed that this product contained dirt.

On March 21, 1942, the United States attorney for the Western District of North Carolina filed libels against 79 cases of peanut butter at Lincolnton, N. C., and 45 cases of peanut butter at Statesville, N. C., alleging that the article had been shipped in interstate commerce on or about January 10 and 20, 1942, by Robertson Peanut Co. from Clayton, Ala.; and charging that it was adulterated