that the article had been shipped in interstate commerce on or about August 11, 1943, by the Fred Harvey Service, Inc., from Winslow, Ariz.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On September 23, 1943, Fred Harvey, a corporation, having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond on condition that the product be brought into compliance with the law under the supervision of the Food and Drug Administration. The unfit birds were segregated and destroyed.

5391. Misbranding of jars of smoked turkey. U. S. v. 99 Cases of Smoked Turkey. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 10272. Sample No. 20636–F.)

This product was short-weight.

On July 19, 1943, the United States attorney for the District of Massachusetts filed a libel against 99 cases, each containing 12 jars, of smoked turkey at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about June 21, 1943, by the Pinesbridge Farm from Ossining, N. Y.; and charging that it was misbranded. The article was labeled in part: (Jars) "Pinebridge Farm Original Smoked Turkey * * * Net Weight 8 Ozs. Avd."

The article was alleged to be misbranded in that the statement "Net Weight 8 Ozs. Avd." was false and misleading as applied to an article which was short-weight, and in that it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

On July 28, 1943, the S. S. Pierce Co. of Boston, Mass., having appeared as claimant and having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

NUTS AND NUT PRODUCTS

5392. Adulteration of shelled peanuts. U. S. v. 3 Bags of Shelled Peanuts. Consent decree of condemnation. Product ordered destroyed or converted into animal feed. (F. D. C. No. 10455. Sample No. 46355–F.)

On August 21, 1943, the United States attorney for the District of Maryland filed a libel against 3 100-pound bags of shelled peanuts at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about April 23, 1943, by the Franklin Peanut Co. from Franklin, Va.; and charging that it was adulterated in that it consisted in whole or in part of filthy substances by reason of the presence of larvae, cast skins, and insect fragments.

On August 27, 1943, the consignee having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed or converted into animal feed.

5393. Adulteration of shelled peanuts. U. S. v. 260 Bags of Shelled Peanuts. Consent decree of condemnation. Product ordered released under bond for reconditioning. (F. D. C. No. 10222. Sample No. 42168–F.)

This product was stored under insanitary conditions. Examination of samples showed that it was contaminated with rodent excreta and urine.

On July 12, 1943, the United States attorney for the Northern District of Ohio filed a libel against 260 bags of peanuts at Cleveland, Ohio, in the possession of the National Terminals Corporation, alleging that the article had been shipped in interstate commerce on or about May 5, 1943, from Suffolk, Va.; and charging that it was adulterated in that it consisted wholly or in part of filthy substances, and in that it had been held under insanitary conditions whereby it may have become contaminated with filth.

On August 4, 1943, the Electric Cooker Sales, Inc., of Cleveland, Ohio, claimant, having admitted the allegations of the libel with respect to a portion of the product, 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 Food and Drug Administration.

5393. Adulteration of shelled peanuts. U. S. v. 28 Bags of Shelled Peanuts. Consent decree of condemnation. Product ordered destroyed or converted into animal feed. (F. D. C. No. 10450. Sample No. 46354–F.)

On August 21, 1943, the United States attorney for the District of Maryland filed a libel against 28 100-pound bags of shelled peanuts at Baltimore, Md.,