ALLEGED SHIPMENT: From on or about October 13, 1943, to March 14, 1944, by the Oregon Nut Shellers, Hillsboro and Sherwood, Oreg.

PRODUCT: 261 35-pound cartons and 272 35-pound cases of shelled filberts at Philadelphia, Pa., Tacoma, Wash., and Oakland, Calif.

LABEL, IN PART: (Cases) "Rubi Rancho Brand Large [or "Jumbo," or "Medium"] Filberts."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: March 30, April 19, and June 16, 1944. The Oregon Nut Shellers, Hillsboro, Oreg., Younglove Grocery Co., Tacoma, Wash., and Awful Fresh McFarlane, Oakland, Calif., appeared as respective claimants. Judgments of condemnation were entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration. The unfit nuts were sorted out and destroyed.

5974. Misbranding of mixed nuts. U. S. v. 36 Cases of Mixed Nuts. Consent decree of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. No. 11292. Sample No. 55959-F.)

LIBEL FILED: December 17, 1943, Western District of Washington.

ALLEGED SHIPMENT: On or about December 1, 1943, by the Reliable Nut Co., Los Angeles, Calif.

PRODUCT: 36 cases, each containing 24 8-ounce bags, of mixed nuts at Seattle, Wash.

LABEL, IN PART: "Royal Seal Fancy Salted Mixed Nuts Net Wt. 8 oz."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement "Net Wt. 8 oz." was false and misleading as applied to a product that was short-weight; Section 403 (e) (2), the product was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: December 31, 1943. The claimant, the Reliable Nut Co., having admitted the allegations of the libel, a consent decree of condemnation was entered and the product was ordered released under bond to be reconditioned to conform with the law, under the supervision of the Food and Drug Administration. The bags were repacked to the declared weight.

5975. Adulteration of peanuts. U. S. v. 13 Bags of Peanuts. Default decree of condemnation and destruction. (F. D. C. No. 11306. Sample No. 65786-F.)

LIBEL FILED: December 15, 1943, Southern District of New York.

ALLEGED SHIPMENT: On or about November 22, 1943, by the New York Nut Shelling Co., Inc., Hoboken, N. J.

PRODUCT: 13 100-pound bags of peanuts at New York, N. Y.

LABEL, IN PART: "Roasted Granulated Peanuts Unsifted."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of filthy substances by reason of the presence of rodent hairs and rodent excreta; Section 402 (a) (4), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: January 5, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5976. Adulteration of shelled peanuts. U. S. v. 460 Bags of Shelled Peanuts. Decree of condemnation. Product ordered released under bond to be reconditioned by sorting. (F. D. C. No. 11274. Sample No. 51746-F.)

LIBEL FILED: December 9, 1943, District of Massachusetts.

ALLEGED SHIPMENT: On or about October 23, 1943, by the Columbian Peanut Co., Enfield, N. C.

PRODUCT: 460 bags, each containing 100 pounds, of shelled peanuts at Boston, Mass.

LABEL, IN PART: "No. 2 Virginia Shelled Peanuts."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of worm-eaten, rancid, and moldy peanuts.