

28474. Shelled peanuts. (F.D.C. No. 47713. S. Nos. 57-139/40 T.)

QUANTITY: 210 125-lb. bags and 195 100-lb. bags, at Dallas, Tex., in possession of Sunny Jim, Inc.

SHIPPED: 5-21-62 and 6-13-62, from Anadarko, Okla.

LIBELED: 7-19-62, N. Dist. Tex.

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

DISPOSITION: 8-23-62. Consent—claimed by Sunny Jim, Inc. Segregated; 350 lbs. destroyed.

28475. Pignolia nuts. (F.D.C. No. 47373. S. No. 41-379 T.)

QUANTITY: 32 cases, each containing 12 jars, at Bronx, N.Y.

SHIPPED: 12-21-61, from Newark, N.J., by Newark Packing Co., Inc.

LABEL IN PART: (Jar) "Coq D'Or Extra Deluxe Cocktail Imported Pignolias * * * Net Wt. 5¼ Ozs. * * * Packed in The U.S.A. Francis H. Leggett & Company Subsidiary of Seeman Brothers, Inc. Pique Division, Distributors, New York, N.Y."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 3-20-62, S. Dist. N.Y.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 7-13-62. Default—delivered to a charitable institution.

28476. Dried coconut. (F.D.C. No. 47415. S. No. 7-896 T.)

QUANTITY: 160 25-lb. bags, at Boston, Mass., in possession of Joseph Middleby, Jr., Inc.

SHIPPED: 12-8-61, from Manila, Philippine Islands.

LIBELED: 3-26-62, Dist. Mass.

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

DISPOSITION: 4-18-62. Consent—claimed by Joseph Middleby, Jr., Inc. Segregated; 47 bags destroyed.

28477. Frozen coconut. (F.D.C. No. 46935. S. No. 2-465 T.)

QUANTITY: 151 cases, 12 bags each, at Greenville, S.C.

SHIPPED: 12-4-61, from Atlanta, Ga., by Convenient Foods Co.

LABEL IN PART: (Bag) "Calypso Grated Frozen Fresh Coconut 9 Oz. Net Wt. * * * Convenient Foods Company, Atlanta, Ga."

LIBELED: On or about 1-26-62, W. Dist. S.C.

CHARGE: 402(a) (3)—contained a high total bacterial count and high coliform counts; and 402(a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: 5-31-62. Default—destruction.

28478. Sliced coconut and chocolate coating. (F.D.C. No. 46399. S. Nos. 49-019/20 R.)

INFORMATION FILED: 12-12-61, Dist. Colo., against Bakers' Service Co., a corporation, Colorado Springs, Colo.

ALLEGED VIOLATION: Between 12-22-60 and 3-15-61, while quantities of coconut and chocolate coating were being held for sale after shipment in interstate commerce, the defendant caused such articles to be held in a building that was accessible to and infested with insects and rodents and to be exposed to contamination by insects and rodents, which acts resulted in the articles being adulterated.

CHARGE: 402(a)(3)—the coconut contained cockroach and other insect fragments and the chocolate coating contained rodent-gnawed chocolate; and 402(a)(4)—the articles were held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 2-2-62. \$1,500 fine.

28479. Pumpkin seeds, Fill-Mix, and pizza bits. (F.D.C. No. 47130. S. Nos. 2-544/6 T.)

QUANTITY: 75 cases, 24 jars each, of pumpkin seeds; 200 cases, 12 jars each, of Fill-Mix; and 50 cases, 12 jars each, of pizza bits, at Miami, Fla.

SHIPPED: 1-19-62, from Atlanta, Ga., by Filler Products, Inc.

LABEL IN PART: (Jar) "Filler's * * * Ready To Eat Pepitas Pumpkin Seeds * * * Ingredients: * * * Butylated Hydroxyanisole, Butylated Hydroxytoluene, and Methyl Silicone * * * Net Wt. 4 Oz. Mfg. by Filler Products, Inc. Atlanta, Ga."; "Filler's * * * Ready To Eat Fill-Mix Ingredients: Prepared Cereals, Pretzels, Nuts * * * Mfg. by Filler Products, Inc. Atlanta, Ga. * * * Net Wt. 4 Oz."; and "Filler's * * * Ready To Eat Pizza Bits Ingredients * * * Mfg. by Filler Products, Inc. Atlanta, Ga. * * * Net Weight 3¼ Oz."

RESULTS OF INVESTIGATION: Examination showed that the mandatory information was inconspicuous due to being printed in very small type, in metallic, gold-colored reflective ink and/or was on a highly reflective background.

LIBELED: 3-5-62, S. Dist. Fla.

CHARGE: 403(f)—when shipped, the information required under 403 (e)(1), (e)(2), (i)(2), and (k) to appear on the label, namely, the manufacturer's name and place of business, the quantity of contents statements, the common or usual name of each ingredient, and (pumpkin seeds) the declaration of chemical preservatives and (Fill-Mix and pizza bits) the declaration of artificial color, was not prominently placed on the label with such conspicuousness (as compared with other words and statements on the label) as to render such information likely to be read by the ordinary individual under customary conditions of purchase and use; and (pumpkin seeds) 403(k)—the article contained butylated hydroxyanisole and butylated hydroxytoluene, and its label failed to state that these ingredients were chemical preservatives.

DISPOSITION: 4-26-62. Consent—claimed by Filler Products, Inc., and relabeled.

SPICES, FLAVORS, AND SEASONING MATERIALS

28480. Avocado dressing. (F.D.C. No. 47752. S. No. 57-268 T.)

QUANTITY: 24 cases, 12 jars each, and 10 jars, at Oklahoma City, Okla.

SHIPPED: 5-20-62, from Fort Worth, Tex., by Stanfield Food Products.

LABEL IN PART: (Case) "12-12 Oz. Stanfield's Brand Stanfield Food Products, Fort Worth, Texas" and (jar) "Stanfield's Avocado Dressing * * * A Delicious Salad Dressing Net Contents 12 Ozs. Ingredients * * * Pure