

27133. Shelled Spanish peanuts. (F.D.C. No. 45402. S. No. 67-244 R.)

QUANTITY: 500 100-lb. bags at Fort Worth, Tex., in possession of Kimbell Food Products Co.

SHIPPED: 12-6-60, from Durant, Okla.

LIBELED: 1-31-61, N. Dist. Tex.

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

DISPOSITION: 1-31-61. Consent—claimed by Kimbell Milling Co., t/a Kimbell Food Products Co. Segregated; 4,340 lbs. destroyed.

27134. Shelled Spanish peanuts and pink beans. (F.D.C. No. 45490. S. Nos. 53-519/20 R.)

QUANTITY: 357 60-lb. bags of peanuts and 5 100-lb. bags of pink beans at Boston, Mass., in possession of Pemberton Stores.

SHIPPED: 11-17-60, from Oglethorpe, Ga., and Oxnard, Calif.

LIBELED: 2-23-61, Dist. Mass.

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

DISPOSITION: 3-23-61. Consent—claimed by Northern Terminals, Inc., Boston, Mass. Segregated; 28 bags of peanuts and 5 bags of beans destroyed.

27135. Shelled walnuts. (F.D.C. No. 45183. S. No. 15-297 R.)

QUANTITY: 3 55-lb. cases at Cincinnati, Ohio.

SHIPPED: 10-13-60, from New York, N.Y.

LIBELED: 12-9-60, S. Dist. Ohio.

CHARGE: 402(a)(3)—contained insects and insect excreta while held for sale.

DISPOSITION: 12-29-60. Default—delivered to a public institution for use as animal feed.

OLEOMARGARINE**27136. Oleomargarine. (F.D.C. No. 44316. S. Nos. 60-173 P, 60-193 P.)**

INFORMATION FILED: 5-12-60, Dist. Md., against Norman Moravetz, alias Norman Martin, Baltimore, Md.

ALLEGED VIOLATION: On 9-30-59 and 10-15-59, the defendant unlawfully sold and introduced into interstate commerce at Baltimore, Md., a number of packages which contained colored margarine.

LABEL IN PART: (Pkg.) "Fine Daisy Bloom Creamery Butter."

RESULTS OF INVESTIGATION: Analysis showed that the article labeled "Butter" was in fact colored margarine.

CHARGE: 402(b)(1)—butter, which the article purported to be, had been omitted therefrom; 402(b)(2)—colored margarine had been substituted for butter; 403(a)—the statement "Creamery Butter" which appeared on the label was false and misleading; 403(b)—the colored margarine was offered for sale under the name of another food; 403(e)(1)—the label failed to bear the name and place of business of the manufacturer, packer, or distributor; and 407(b)(3)—the label of the article failed to bear (A) the word "oleomargarine" or "margarine," and (B) a full and accurate statement of all the ingredients contained in the margarine.