DISPOSITION: May 14, 1945. The Phillips Packing Co., Inc., having consented to the entry of a decree, judgments of condemnation were entered and the product was ordered destroyed.

NUTS AND NUT PRODUCTS

8062. Adulteration of shelled almonds and shelled pecans. U. S. v. 7 Cartons of Shelled Almonds and 7 Cartons of Shelled Pecans. Default decree of condemnation and destruction. (F. D. C. No. 13904. Sample Nos. 74228–F, 74229–F.)

LIBEL FILED: October 4, 1944, Eastern District of Washington.

ALLEGED SHIPMENT: On or about September 9, 1944, by Toby's Food Products Packing Co., Los Angeles, Calif.

PRODUCT: 7 cartons, each containing 30 1-ounce packages, of shelled almonds, and 7 cartons, each containing 30 1-ounce packages, of shelled pecans, at Yakima, Wash.

LABEL, IN PART: "Take-A-Pack Shelled Almonds [or "Pecans"]."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles, larvae, and insect excreta.

DISPOSITION: November 20, 1944. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

8063. Adulteration of peanuts. U. S. v. South Quay Peanut Co. Plea of nolo contendere. Fine, $100. (F. D. C. No. 14209. Sample No. 63206–F.)

INFORMATION FILED: February 22, 1945, Eastern District of Virginia, against the South Quay Peanut Co., a partnership, Franklin, Va.

ALLEGED SHIPMENT: On or about February 11, 1944, from the State of Virginia into the State of North Carolina.

LABEL, IN PART: "No. 2 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 rancid, moldy, and dirty peanuts.

DISPOSITION: May 8, 1945. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $100.

8064. Adulteration of peanut butter. U. S. v. Commercial Creamery Co. Plea of guilty. Fine, $5,400. (F. D. C. No. 14227. Sample Nos. 71642–F, 71643–F, 71732–F.)

INFORMATION FILED: December 22, 1944, Eastern District of Washington, against the Commercial Creamery Co., Spokane, Wash.

ALLEGED SHIPMENT: On or about April 26 and May 3 and 8, 1944, from the State of Washington into the State of Idaho.

LABEL, IN PART: "Eatsum Brand Peanut Butter."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent pellet fragments, rodent hairs, insect fragments, insect legs, and cast skins; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth, since the defendant's manufacturing plant was overrun with rodents, and rodent pellets and hair were prevalent throughout the plant.

DISPOSITION: April 2, 1945. A plea of guilty having been entered on behalf of the defendant, a fine of $900 on each of 6 counts, a total fine of $5,400, was imposed.

8065. Adulteration of peanut butter. U. S. v. Denison Peanut Co., Inc. Plea of guilty. Fine, $100. (F. D. C. No. 14208. Sample No. 66790–F.)

INFORMATION FILED: November 15, 1944, Eastern District of Texas, against the Denison Peanut Co., Inc., Denison, Tex.

ALLEGED SHIPMENT: On or about March 1, 1944, from the State of Texas into the State of Oklahoma.

LABEL, IN PART: "Nature's Best * * * Peanut Butter."

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