PRODUCT: 141 cases, each containing 24 jars, of peanut butter at Memphis, Tenn.

LABEL, IN PART: "Net Contents 12 Ounces Brownee Peanut Butter Brownee Company Montgomery, Alabama."

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 dirt.

Misbranding, Section 403 (a), the label statement, "Net Contents 12 Ounces," was false and misleading as applied to the article, which was short-weight; and, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents in terms of weight.

DISPOSITION: February 3, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold to be denatured and disposed of for purposes other than human consumption.

8070. Misbranding of peanut butter. U. S. v. Cherokee Products Co. Plea of nolo contendere. Fine, $1,500. (F. D. C. No. 14224. Sample Nos. 35738–F, 36666–F, 36667–F, 44460–F.)

INFORMATION FILED: February 19, 1945, Middle District of Georgia, against the Cherokee Products Co., a partnership, Haddock, Ga.

ALLEGED SHIPMENT: Between the approximate dates of April 24 and December 7, 1943, from the State of Georgia into the States of New York, Colorado, and South Carolina.

LABEL, IN PART: (Jars) "Georgia Gold Net weight 12 ozs. [or "1 Lb," or "2 Lbs."] Peanut Butter."

VIOLATION CHARGED: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents, since the jars contained less than the amount declared.

DISPOSITION: April 23, 1945. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $500 on each of 3 counts, a total fine of $1,500.

8071. Misbranding of peanut butter. U. S. v. Dillon Candy Co., Inc. Plea of nolo contendere. Defendant placed on probation for 5 years. (F. D. C. No. 12587. Sample Nos. 6862–F, 35744–F, 48708–F, 48709–F.)

INFORMATION FILED: December 5, 1944, Southern District of Florida, against the Dillon Candy Co., Inc., Jacksonville, Fla.

ALLEGED SHIPMENT: Between the approximate dates of July 18 and December 25, 1943, from the State of Florida into the States of Illinois, South Carolina, and Tennessee.

LABEL, IN PART: "Armour's Star * * * 6 Oz. Avoir Net. [or "2 Lbs. Net"] Peanut Butter * * * Armour And Company Distributors Gen'l Office Chicago, Ill.," or "Fresh Maid Peanut Butter Net 1 Lb. [or "Net 12 Oz."]."

VIOLATION CHARGED: Misbranding, Section 403 (e) (2), the labels failed to bear an accurate statement of the quantity of the contents, since the jars contained less than the declared weight.

DISPOSITION: January 3, 1945. A plea of nolo contendere having been entered, the defendant was placed on probation for 5 years, to report as required, and on the condition that the corporate successor to the Dillon Candy Company and the former officers of the Dillon Candy Company fully cooperate with the Food and Drug Administration.

8072. Adulteration of shelled pecan pieces. U. S. v. 24 Cans of Shelled Pecan Pieces. Default decree of condemnation and destruction. (F. D. C. No. 13761. Sample No. 72970–F.)

LIBEL FILED: September 29, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about February 18, 1944, by the R. E. Funsten Co., from St. Louis, Mo.

PRODUCT: 24 cans, each containing 25 pounds, of shelled pecan pieces at Oakland, Calif.

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 larvae.

DISPOSITION: March 3, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.