

8780. Adulteration of shelled walnuts. U. S. v. 8 Cases of Shelled Walnuts. Default decree of condemnation and destruction. (F. D. C. No. 15396. Sample No. 27223-H.)

LIBEL FILED: February 19, 1945, Eastern District of Washington.

ALLEGED SHIPMENT: On or about December 22, 1944, by the Consolidated Nut Co., from Los Angeles, Calif.

PRODUCT: 8 25-pound cases of shelled walnuts at Spokane, Wash.

NATURE OF CHARGE: 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 insect-damaged and moldy walnuts.

DISPOSITION: March 17, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8781. Adulteration of walnut meats. U. S. v. 12 Cases of Walnut Meats. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15399. Sample No. 28321-H.)

LIBEL FILED: February 17, 1945, Southern District of California.

ALLEGED SHIPMENT: On or about February 6, 1945, by the Benjamin Holland Mfg. Co., from Seattle, Wash.

PRODUCT: 12 cases, each containing 25 pounds, of walnut meats at Los Angeles, Calif.

NATURE OF CHARGE: 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 insect-damaged and moldy walnut meats.

DISPOSITION: March 19, 1945. The Consolidated Nut Co., Los Angeles, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

8782. Adulteration of walnut meats. U. S. v. 25 Cartons of Walnut Meats. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15428. Sample No. 29152-H.)

LIBEL FILED: On or about February 28, 1945, District of Colorado.

ALLEGED SHIPMENT: On or about February 12, 1945, by the L. DeMartini Co., from San Francisco, Calif.

PRODUCT: 25 25-pound cartons of walnut meats at Denver, Colo.

LABEL, IN PART: "West Owl Brand, Shelled Walnut Halves & Pieces."

NATURE OF CHARGE: 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 larvae, insect excreta, and webbing, and moldy or decomposed nut meats.

DISPOSITION: March 26, 1945. The L. DeMartini Co., claimant, having consented to the entry of a decree, judgment of condemnation was 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.

OILS AND FATS*

8783. Adulteration and misbranding of edible oils. U. S. v. 7 Cases of Edible Oil (and 5 other seizure actions against edible oils). Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 13840, 13842, 13849 to 13851, incl., 14029. Sample Nos. 82769-F, 82770-F, 82772-F to 82775-F, incl., 82777-F.)

LIBELS FILED: Between September 29, 1944, and October 16, 1944, Southern District of New York.

ALLEGED SHIPMENT: On or about August 23 and September 6, 1944, by the Lucatelli Packing Co., from West New York, N. J.

PRODUCT: 11 1-gallon cans and 5 cases, each containing 6 1-gallon cans, of edible oil at New York, N. Y., and 24 1-gallon cans and 12 cases, each containing 6 1-gallon cans, of edible oil at Bronx, N. Y. Analysis showed that a portion of the product consisted essentially of peanut oil and cottonseed oil,

*See also No. 8792.

containing little or no olive oil, and that the remainder consisted essentially of cottonseed oil, with little or no peanut, corn, or olive oil.

LABEL, IN PART: "Lucatelli Brand Choice Peanut Oil Blended with Olive Oil," of "Superfine Product Cimarosa Brand 100% Pure Fine Cottonseed, Peanut, Corn and Extra Virgin Olive Oil."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), (Lucatelli brand) a substance consisting essentially of peanut oil and cottonseed oil, containing little or no olive oil, had been substituted in whole or in part for "Choice Peanut Oil Blended with Olive Oil," which the product was represented to be; (Cimarosa brand) a substance consisting essentially of cottonseed oil, with little or no peanut, corn, or olive oil, had been substituted in whole or in part for "100% Pure Fine Cottonseed, Peanut, Corn and Extra Virgin Olive Oil," which the article was represented to be.

Misbranding, Section 403 (a), the following statements on the labels were false and misleading: (Lucatelli brand) "Choice Peanut Oil Blended with Olive Oil * * * However, in order to further improve our product, we have added a generous portion of one hundred percent pure virgin Olive Oil, the result being a superior blended oil of extra fine quality and delicate flavor, guaranteed to satisfy the taste of the most discriminating consumers," and "Choice Peanut Oil Blended with Olive Oil" (and similar statements in a foreign language); and (Cimarosa brand) "100% Pure Fine Cottonseed, Peanut, Corn and Extra Virgin Olive Oil."

DISPOSITION: June 12, 1945. The Lucatelli Packing Co., claimant, having admitted the allegations of the libels, and the cases having been consolidated, judgment of condemnation was entered and the products were ordered released under bond for relabeling under the supervision of the Federal Security Agency.

8784. Misbranding of peanut and salad oils. U. S. v. 399 Cases of Peanut Oil and 100 Cases of Corn and Cottonseed Salad Oil. Consent decree of condemnation. Products ordered released under bond. (F. D. C. Nos. 15436, 15438. Sample Nos. 28116-H, 28119-H, 28127-H.)

LIBELS FILED: March 12 and 15, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about January 6, 1945, by the Italian Cook Oil Corporation, from Brooklyn, N. Y.

PRODUCT: 399 cases, each containing 24 1-pint bottles, of peanut oil and 100 cases, each containing 6 1-gallon cans, of corn and cottonseed salad oil at Seattle, Wash. Examination showed that the products were short-volume.

LABEL, IN PART: "Royal Cook Brand Peanut Oil One Pint," or "One Gallon Italian Cook Brand Pure Corn and Cottonseed Salad Oil."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the products failed to bear labels containing accurate statements of the quantity of the contents.

DISPOSITION: April 20, 1945. The cases having been consolidated, and the Italian Cook Oil Corporation, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond to be repackaged and relabeled under the supervision of the Federal Security Agency.

8785. Adulteration of salad dressing. U. S. v. 148 Cases of Salad Dressing. Product ordered destroyed. (F. D. C. No. 14780. Sample No. 80994-F.)

LIBEL FILED: On or about December 19, 1944, Western District of Missouri.

ALLEGED SHIPMENT: On or about March 1, 1944, by the Lafayette Mayonnaise Products Co., from Lafayette, Ind.

PRODUCT: 148 cases, each containing 12 1-quart jars, of salad dressing at Kansas City, Mo. Examination showed that the product was rancid.

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

DISPOSITION: March 5, 1945. No claimant having appeared, the product was ordered destroyed. It was mixed with feed, for use as hog feed.