12378. Misbranding of potato chips. U. S. v. 25 Cartons * * *. (F. D. C. No 22924. Sample No. 42138–H.)

LIBEL FILED: April 14, 1947, Northern District of West Virginia.

ALLEGED SHIPMENT: On or about March 24, 1947, by Buckeye Foods, Inc., from Columbus, Ohio.

PRODUCT: 25 cartons, each containing 18 8-ounce boxes, of potato chips at Fairmont, W. Va.

LABEL, IN PART: "Buckeye Potato Chips Net Weight 8 Ozs."

NATURE OF CHARGE: Misbranding, Section 403 (d), the container of the article was so filled as to be misleading, since the boxes were large enough to hold at least 2 more ounces of potato chips.

DISPOSITION: May 14, 1947. Default decree of condemnation and destruction.

12379. Adulteration of canned spinach. U. S. v. 205 Cases * * *. (F. D. C. No. 23011. Sample No. 91632–H.)

LIBEL FILED: April 30, 1947, District of Utah.

ALLEGED SHIPMENT: On or about August 16, 1946, by the Bentonville Canning Co., from Bentonville, Ark.

PRODUCT: 205 cases, each containing 24 1-pound, 2-ounce cans, of spinach at Salt Lake City, Utah.

LABEL, IN PART: "Sallisaw Brand Spinach * * * Packed by Sallisaw Canning Co., Sallisaw, Okla."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of inedible material such as pieces of wood, string, and blades of grass.

DISPOSITION: June 13, 1947. Default decree of destruction.

NUTS

12380. Adulteration of shelled runner peanuts. U. S. v. 218 Bags * * *. (F. D. C. No. 22808. Sample No. 77358–H.)

LIBEL FILED: April 2, 1947, Northern District of Iowa.

ALLEGED SHIPMENT: On or about May 1, 1946, by the Southern Cotton Oil Co., from Tifton, Ga.

PRODUCT: 218 125-pound bags of shelled runner peanuts at Cedar Rapids, Iowa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect-damaged nuts, dead insects, excreta, and cast skins.

DISPOSITION: April 21, 1947. Witwer Grocer Co., Cedar Rapids, Iowa, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the fit portion be segregated and the unfit portion be destroyed or converted into animal feed or otherwise brought into compliance with the law, under the supervision of the Food and Drug Administration.

12381. Adulteration of pecan meats. U. S. v. 53 Cartons * * *. (F. D. C. No. 23193. Sample No. 65787–H.)

LIBEL FILED: June 12, 1947, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 12, 1947, by the Haygood Pecan Company, from Lexington, S. C.

PRODUCT: 53 30-pound cartons of pecan meats at Philadelphia, Pa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presense of *E. coli.*

DISPOSITION: July 16, 1947. Default decree of condemnation and destruction.

12382. Adulteration of pecan meats. U. S. v. 15 Cartons * * *. (F. D. C. No. 22875. Sample No. 69749–H.)

LIBEL FILED: April 30, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about February 3, 1947, by Alex Pecan Co., from Douglas, Ga.

PRODUCT: 15 cartons, each containing 60 pounds, of pecan meats at Chicago, Ill.