

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insect-infested, dirty, and decomposed peanuts.

DISPOSITION: February 4, 1946. The Pan American Candy Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for the cleaning and segregation of the fit portion and the destruction of the remainder, under the supervision of the Food and Drug Administration.

9787. Adulteration of shelled Spanish peanuts. U. S. v. 4 Bags and 85 Bags of Shelled Spanish Peanuts. Decrees of condemnation. Portion of product ordered released under bond; remainder ordered destroyed. (F. D. C. Nos. 17050, 17302. Sample Nos. 786-H, 22706-H, 22710-H.)

LIBELS FILED: August 17 and September 4, 1945, Eastern District of Illinois and Eastern District of North Carolina.

ALLEGED SHIPMENT: On or about May 11 and June 16, 1945, by the Ashburn Peanut Co., from Ashburn, Ga.

PRODUCT: 4 125-pound bags and 85 125-pound bags of shelled Spanish peanuts at Fayetteville, N. C., and Centralia, Ill., respectively.

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 larvae and insect-damaged peanuts.

DISPOSITION: September 22 and November 21, 1945. The Hollywood Brands, Inc., Centralia, Ill., having appeared as claimant for the Illinois lot and having consented to the entry of a decree, and no claimant having appeared for the North Carolina lot, judgments of condemnation were entered. It was ordered that the North Carolina lot be destroyed and that the Illinois lot be released under bond to be denatured for use as animal feed, under the supervision of the Federal Security Agency.

9788. Adulteration of shelled Spanish peanuts. U. S. v. 6 Bags of Spanish Peanuts. Default decree of condemnation and destruction. (F. D. C. No. 17429. Sample No. 9447-H.)

LIBEL FILED: September 6, 1945, Western District of New York.

ALLEGED SHIPMENT: On or about October 25, 1944, by the Columbian Peanut Co., from Pelham, Ga.

PRODUCT: 6 100-pound bags of shelled Spanish peanuts at Rochester, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae and insect-damaged peanuts.

DISPOSITION: October 15, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9789. Misbranding of peanut butter. U. S. v. 131 Cases of Peanut Butter. Default decree of condemnation. Product ordered delivered to public and charitable institutions. (F. D. C. No. 16782. Sample No. 28751-H.)

LIBEL FILED: July 5, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about April 13, 1945, by the Sessions Co., Inc., from Enterprise, Ala.

PRODUCT: 131 cases, each containing 24 1-pound jars, of peanut butter at Seattle, Wash. Examination showed that the product was short-weight.

LABEL, IN PART: "Net Wt. 1 Pound Sessions Brand Homogenized Peanut Butter."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: March 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to public and charitable institutions.

9790. Adulteration of shelled pecans. U. S. v. 10 Cases of Shelled Pecans. Default decree of condemnation and destruction. (F. D. C. No. 17049. Sample No. 18264-H.)

LIBEL FILED: August 18, 1945, Southern District of Iowa.

ALLEGED SHIPMENT: On or about April 9, 1945, by the Southern Pecan Shelling Co., from Chicago, Ill.

PRODUCT: 10 cases, each containing 50 pounds, of shelled pecans at Burlington, Iowa.

LABEL, IN PART: "Gulf Pecan Company Pecan Meats," or "S. T. Fish & Co. Pecans Pecos Nut Company."

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 larvae, webbing, and insect-damaged pecan meats.

DISPOSITION: September 26, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9791. Adulteration of pecan halves. U. S. v. 48 Cases of Pecan Halves. Default decree of condemnation and destruction. (F. D. C. No. 17130. Sample No. 4261-H.)

LIBEL FILED: August 20, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 9, 1945, by the Orangeburg Pecan Co., from Orangeburg, S. C.

PRODUCT: 41 cases, each containing 30 pounds, and 7 cases, each containing 60 pounds, of pecan halves 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 presence of moths, weevils, larvae, and worm-damaged pecans.

DISPOSITION: September 18, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9792. Adulteration of pecan pieces. U. S. v. 10 Boxes of Pecan Pieces. Default decree of condemnation and destruction. (F. D. C. No. 17614. Sample No. 12302-H.)

LIBEL FILED: September 28, 1945, District of Massachusetts.

ALLEGED SHIPMENT: On or about August 10, 1945, by the R. E. Funsten Company, from St. Louis, Mo.

PRODUCT: 10 30-pound boxes of shelled pecan pieces at Boston, Massachusetts. Examination showed the presence of rancid and decomposed pecan pieces.

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

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

9793. Adulteration of walnut meats. U. S. v. 96 Cartons and 18 Dozen Packages of Walnut Meats. Default decrees of condemnation and destruction. (F. D. C. Nos. 17208, 17682. Sample Nos. 3514-H, 33601-H.)

LIBELS FILED: On or about August 31 and September 27, 1945, Eastern District of Illinois and Eastern District of Michigan.

ALLEGED SHIPMENT: On or about July 24 and August 4, 1945, by the Tas-T-Nut Co., from Baltimore, Md.

PRODUCT: 96 cartons, each containing 12 1½-ounce packages, of walnut meats at Kankakee, Ill., and 18 dozen 1½-ounce packages of the same product at Lansing, Mich.

LABEL, IN PART: "Tas-T-Nut."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of (both lots) a filthy substance by reason of the presence of insects, insect fragments, insect-infested nut meats, and (Lansing lot) a decomposed substance by reason of the presence of moldy nut meats; and, Section 402 (a) (4), (Kankakee lot) it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 6, 1945, and January 18, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

9794. Adulteration of shelled walnuts. U. S. v. 23 Cartons of Shelled Walnuts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15912. Sample No. 18976-H.)

LIBEL FILED: April 13, 1945, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about February 3, 1945, by the Davis Nut Shelling Co., Los Angeles, Calif.