

infested nuts, and of a decomposed substance by reason of the presence of rancid, moldy, and otherwise decomposed nuts.

DISPOSITION: April 4, 1949. Default decree of condemnation and destruction.

14669. Adulteration of peanuts. U. S. v. 59 Bags, etc. (and 2 other seizure actions). (F. D. C. No. 25757. Sample Nos. 15424-K, 15426-K, 15427-K.)

LIBELS FILED: September 15, 1948, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about April 14 and 16 and June 25, 1948, from Severn and Roxobel, N. C., and Suffolk, Va.

PRODUCT: 537 110-pound bags of peanuts in the possession of Miller Food Products, Inc., Detroit, Mich.

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 insects; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 12, 1949. Miller Food Products, Inc., Detroit, Mich., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for the segregation and the denaturing of the unfit portion, under the supervision of the Federal Security Agency. The segregation operations resulted in the salvage of 49,000 pounds of good peanuts and the denaturing of 6,608 pounds.

14670. Adulteration of peanuts. U. S. v. 23 Bags * * *. (F. D. C. No. 26571. Sample No. 44723-K.)

LIBEL FILED: February 25, 1949, District of North Dakota.

ALLEGED SHIPMENT: On or about October 17, 1945, from Marianna, Fla.

PRODUCT: 23 120-pound bags of peanuts at Grand Forks, N. Dak., in possession of the Congress Candy & Distributing Co.

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 rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 7, 1949. The sole intervener having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

14671. Adulteration of Spanish peanuts. U. S. v. 168 Bags * * *. (F. D. C. No. 25875. Sample No. 32561-K.)

LIBEL FILED: October 28, 1948, Northern District of California.

ALLEGED SHIPMENT: On or about May 20, 1948, from Houston, Tex.

PRODUCT: 168 100-pound bags of Spanish peanuts at Oakland, Calif.

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 insects. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 10, 1948. The Chiodo Candy Co., Oakland, Calif., claimant, having consented to the entry of a decree, 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 Federal Security Agency. The nuts were vacuum cleaned and screened a number of times to remove all infested nuts and webbing. A total of 150 pounds of nuts were found unfit and were disposed of for animal feed.

14672. Adulteration of pecans. U. S. v. 281 Cases * * * (and 6 other seizure actions). (F. D. C. Nos. 25904, 25910, 25936, 25937, 25952, 26180, 26195. Sample Nos. 29623-K, 32564-K, 33293-K, 37744-K, 40562-K, 40563-K, 48994-K.)

LIBELS FILED: Between November 4 and December 23, 1948, Northern and Southern Districts of California, District of Oregon, and District of Colorado.

ALLEGED SHIPMENT: On or about August 26, 30, and 31, 1948, by the R. E. Funsten Co., from Albany, Ga.

PRODUCT: Pecans. 281 cases at San Francisco, Calif., 57 cases at Fresno, Calif., 14 cases at Portland, Oreg., 691 cases at Denver, Colo., and 85 cases and 86 1-pound packages at Spokane, Wash. Each case contained 24 1-pound packages.

LABEL, IN PART: "Funsten's Large Blend Paper Shell Pecans."

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

DISPOSITION: November 30 and December 7 and 9, 1948, and January 1, 1949. The R. E. Funsten Co. having appeared as claimant for the San Francisco, Fresno, and Denver lots and having consented to the entry of decrees, judgments of condemnation were 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. Salvaging operations were unsuccessful, and the product was ultimately destroyed. On January 12 and 20, 1949, default decrees of condemnation were entered in the other cases, and the product was ordered destroyed.

14673. Adulteration of pecans. U. S. v. 10 Cartons * * *. (F. D. C. No. 26368. Sample No. 1082-K.)

LIBEL FILED: On or about January 10, 1949, Southern District of Florida.

ALLEGED SHIPMENT: On or about November 17, 1948, by the R. E. Funsten Co., from St. Louis, Mo.

PRODUCT: 10 30-pound cartons of pecan pieces at Tampa, Fla.

LABEL, IN PART: (Carton) "Funsten's Select Small Pecan Pieces."

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 rodent hairs, insect fragments, and *Escherichia coli*; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 8, 1949. Default decree of condemnation and destruction.

14674. Adulteration of pecans. U. S. v. 7 Cartons, etc. (F. D. C. No. 26561. Sample Nos. 7713-K, 7714-K.)

LIBEL FILED: February 24, 1949, Western District of New York.

ALLEGED SHIPMENT: On or about January 23 and 28, 1946, from Indianapolis, Ind., and Valdosta, Ga.