

in that it consisted in whole or in part of a decomposed substance, and was otherwise unfit for food.

On February 28, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

479. Adulteration of shelled pecans. U. S. v. 4 Boxes of Shelled Pecans. Default decree of condemnation and destruction. (F. D. C. No. 1295. Sample No. 89017-D.)

On January 6, 1940, the United States attorney for the Northern District of Illinois filed a libel against four boxes of shelled pecans at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about February 8, 1939, by W. H. Robinson from Cairo, Ga.; and charging that it was adulterated in that it was unfit for food.

On February 7, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

480. Adulteration of pecans. U. S. v. 47 Bags, 32 Bags, and 16 Bags of Pecans. Default decrees of condemnation and destruction. (F. D. C. Nos. 1202, 1203, 1204. Sample Nos. 47889-D, 47890-D, 47891-D.)

On December 16, 1939, the United States attorney for the Eastern District of Virginia filed libels against 47 bags of pecans at Richmond, and 48 bags of pecans at Petersburg, Va., alleging that the article had been shipped on or about October 23 and 29, 1939, by E. M. Boyles from Jasper and Pinehurst, Ga., respectively; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance and was otherwise unfit for food.

On February 28, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

PEANUT BUTTER

481. Adulteration and misbranding of peanut butter. U. S. v. 26 Cases and 97 Cases of Peanut Butter. Default decrees of condemnation and destruction. (F. D. C. Nos. 1235, 1368. Sample Nos. 77716-D, 77717-D.)

Samples of this product were found to contain sand and dirt. One lot also contained a small amount of ground glass. Both lots were short of the declared weight.

On December 22, 1939, and January 17, 1940, the United States attorney for the Eastern District of Pennsylvania filed libels against 123 cases of peanut butter at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about November 8 and 29, 1939, by Producers Peanut Co., Inc., from Suffolk, Va.; and charging that it was adulterated and misbranded. The article was labeled in part: (Jars) "Jo-Jo Brand [or "Lily Brand"] Peanut Butter."

Adulteration was alleged (with respect to one lot) in that it consisted in whole or in part of a filthy substance and was otherwise unfit for food; and (with respect to the other lot) in that it consisted in whole or in part of a filthy substance.

The article was alleged to be misbranded in that the statements on the labels, (Jo-Jo brand) "1 lb. Net" and (Lily brand) "32 Ozs. Net," were false and misleading since they were incorrect. It was alleged to be misbranded further in that the article was in package form and its label did not bear an accurate statement of the quantity of contents.

On February 27, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

482. Adulteration of peanut butter. U. S. v. 17 Cases and 27 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 1003. Sample No. 79081-D.)

Samples of this product were found to contain dirt.

On November 25, 1939, the United States attorney for the Western District of South Carolina filed a libel against 44 cases of peanut butter at Spartanburg, S. C., alleging that the article had been shipped on or about September 20, 1939, by Newton Products Co. from Atlanta, Ga.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance, dirt. The article was labeled in part: "Jolly Good Peanut Butter Made from Selected Blended Peanuts. Newton Products Co. Cincinnati, O. Atlanta, Ga."

On January 11, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.