

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: September 20, 1944. Safeway Stores, Inc., 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 pressed into oil for technical use, the residue to be used for fertilizer or animal feed, under the supervision of the Food and Drug Administration. A portion subsequently having been found fit for human consumption, an amended decree was entered on October 6, 1944, ordering its release.

6977. Adulteration of shelled pignolia nuts. U. S. v. 1 Case of Shelled Pignolia Nuts. Consent decree of condemnation. Product ordered distributed to a Federal institution, for use as hog feed. (F. D. C. No. 13375. Sample No. 81856-F.)

LIBEL FILED: On or about August 22, 1944, District of Connecticut.

ALLEGED SHIPMENT: On or about May 8, 1944, by Zaloom & Co., from New York, N. Y.

PRODUCT: 1 60-pound case of shelled pignolia nuts, at New Haven, Conn.

LABEL, IN PART: "R. E. 4010 Shelled Pignolias Product of Spain Packed By Ramon Vilella Reus (Spain)."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles, larvae, moths, and cocoons.

DISPOSITION: September 12, 1944. The owner having consented to the entry of an order for immediate destruction of the product, judgment of condemnation was entered and the product was ordered distributed to a Federal institution, for use as hog feed.

6978. Adulteration of shelled walnuts. U. S. v. 39 Cases of Shelled Walnuts. Default decree of condemnation and destruction. (F. D. C. No. 13918. Sample No. 75114-F.)

LIBEL FILED: October 6, 1944, Eastern District of Washington.

ALLEGED SHIPMENT: On or about May 4, 1944, by the Sunset Nut Shelling Co., Whittier, Calif.

PRODUCT: 39 cases, each containing 25 pounds, of shelled walnuts at Wenatchee, Wash.

VIOLATION CHARGED: 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 worm-damaged and moldy walnut meats.

DISPOSITION: November 6, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6979. Misbranding of peanut butter. U. S. v. 288 Dozen Jars of Peanut Butter. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 12158. Sample No. 76452-F.)

LIBEL FILED: On or about April 14, 1944, District of New Jersey.

ALLEGED SHIPMENT: On or about January 19, 1944, by the Chunk-E-Nut Products Co., from Philadelphia, Pa.

PRODUCT: 288 dozen jars of peanut butter at Paterson, N. J.

LABEL, IN PART: (Jar lid) "Radiant Ray Peanut Butter Moss Bros. Nut Co. Philadelphia, Pittsburgh Net Contents 10 Ounces."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement on the label, "Net Contents 10 Ounces," was false and misleading as applied to the article, which was short-weight; and, Section 403 (e) (2), it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: July 3, 1944. Zelda K. Moss and Joseph D. Moss, trading as the Chunk-E-Nut Products Co., claimants, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, to be relabeled under the supervision of the Food and Drug Administration.