

DISPOSITION: October 14, 1944. The Planada Packers, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law. The article was used for distillation purposes.

7480. Adulteration of dextrose sugar. U. S. v. 74 Bags of Dextrose Sugar. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13250. Sample No. 72590-F.)

LIBEL FILED: August 21, 1944, Western District of Tennessee.

ALLEGED SHIPMENT: On or about January 10, 1944, from Chicago, Ill.

PRODUCT: 74 100-pound bags of dextrose sugar at Memphis, Tenn., in the possession of the Poston Warehouse.

The article was stored under insanitary conditions after shipment. Rodent pellets were observed on the bags, and some of the bags were rodent-gnawed. Examination showed that the article contained rodent excreta.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product 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 30, 1944. The Seven-Up Memphis Co., Inc., Memphis, Tenn., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reconditioned by refining, under the supervision of the Federal Security Agency.

7481. Adulteration of marshmallow topping. U. S. v. 40 Cans of Marshmallow Topping. Default decree of condemnation and destruction. (F. D. C. No. 13079. Sample No. 52399-F.)

LIBEL FILED: July 28, 1944, District of New Hampshire.

ALLEGED SHIPMENT: On or about April 15, 1944, by the Lincoln Fruit & Syrup Co., from Lawrence, Mass.

PRODUCT: 40 1-gallon cans of marshmallow topping at Manchester, N. H.

Examination showed that the product was fermented.

LABEL, IN PART: (Cans) "Lincoln One Gallon Marshmallow Topping."

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

DISPOSITION: September 21, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

NUTS AND NUT PRODUCTS

7482. Adulteration of almonds. U. S. v. 17 Bags of Almonds. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14480. Sample No. 89746-F.)

LIBEL FILED: November 15, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about July 27, 1944, from Philadelphia, Pa.

PRODUCT: 17 200-pound bags of almonds at St. Louis, Mo., in the possession of the Tyler Warehouse and Cold Storage Co. The product had been stored under insanitary conditions after shipment. The bags were rodent-gnawed, and rodent pellets were observed on them. Examination showed that the product contained rodent pellets, rodent hairs, and rodent-gnawed almonds.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product 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: December 12, 1944. The National Candy Co., St. Louis, Mo., claimant, having admitted the allegations of the libel, 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 Food and Drug Administration. The product was reconditioned by eliminating all unfit material.

7483. Adulteration of shelled peanuts. U. S. v. 148 Sacks and 142 Bags of Shelled Peanuts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 14114, 14141. Sample Nos. 90097-F, 90098-F.)

LIBEL FILED: October 23, 1944; amended libel filed October 26, 1944, Southern District of Iowa.