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 dirt.

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

7869. Adulteration and misbranding of peanut butter. U. S. v. 25 Cases and 49 Cases of Peanut Butter. Decrees of condemnation and forfeiture. Portion of product ordered released under bond; remainder ordered delivered to a charitable institution, for use as animal feed. (F. D. C. Nos. 14132, 14746. Sample Nos. 62150–F, 99110–F.)

LIBELS FILED: October 25 and December 8, 1944, Western District of Texas and Eastern District of Illinois.

ALLEGED SHIPMENT: On or about August 28, 1943, and October 23, 1944, by the Robertson Peanut Co., from Clayton, Ala.

PRODUCT: 25 cases and 49 cases, each containing 24 1-pound jars, of peanut butter at San Antonio, Tex., and Cairo, Ill., respectively.

LABEL, IN PART: "Delicious Brand Peanut Butter."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), (San Antonio lot only) the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta, rodent hairs, and insect fragments.

Misbranding (Cairo lot only), Section 403 (a), the statement "Net Weight One Pound" was false and misleading as applied to the product, which was short-weight; and, Section 403 (e) (2), the product was food in package form and its label failed to bear an accurate statement of the quantity of the contents since the jars contained less than "One Pound," the weight declared.

DISPOSITION: December 30, 1944. The McKnight-Keaton Grocery Co., Cairo, Ill., claimant for the lot at Cairo, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration. On February 21, 1945, no claimant having appeared for the lot at San Antonio, judgment of forfeiture was entered and the product was ordered delivered to a charitable institution, for use as animal feed after it had been denatured.

7870. Misbranding of peanut butter. U. S. v. 12 Cases of Peanut Butter. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 12771. Sample No. 60651–F.)

LIBEL FILED: June 26, 1944, District of Nevada.

ALLEGED SHIPMENT: On or about March 3, 1944, by the California Peanut Co., from Oakland, Calif.

PRODUCT: 12 cases, each containing 24 jars, of peanut butter at Reno, Nev.

LABEL, IN PART: (Jars) "C. P. C. Peanut Butter * * * 1 Pound."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement "1 Pound" was false and misleading as applied to the article, which was short-weight; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: August 12, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

7871. Adulteration of shelled pecan pieces. U. S. v. 8 Cartons of Shelled Pecan Pieces. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14756. Sample No. 83550–F.)

LIBEL FILED: December 13, 1944, Western District of Texas.

ALLEGED SHIPMENT: On or about November 27, 1944, by Van De Kamps Bakeries, from Seattle, Wash.

PRODUCT: 8 cartons of shelled pecan pieces at El Paso, Tex.

LABEL, IN PART: "L-Paso Brand Shelled Pecans * * * Pecan Pieces."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy pecan pieces.

DISPOSITION: February 5, 1945. Azar Brothers, El Paso, Tex., claimant, having admitted that the product was adulterated, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law.