

**DISPOSITION:** January 14, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10478. Adulteration of peanuts. U. S. v. 67 Bags \* \* \*. (F. D. C. No. 21207. Sample Nos. 57469-H, 57470-H.)**

**LIBEL FILED:** September 30, 1946, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about February 8 and 14, 1946, by the Franklin Peanut Co., from Franklin, Va.

**PRODUCT:** 67 100-pound bags of peanuts at Boston, Mass.

**LABEL, IN PART:** "Fancy Hand Picked Virginia E-L-K Brand Peanuts," or "Jumbo Virginia Whale Hand Picked Peanuts."

**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 and larvae.

**DISPOSITION:** January 14, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered denatured and disposed of as animal feed or used for purposes other than for human consumption.

**10479. Adulteration of pecans. U. S. v. 49 Bags \* \* \*. (F. D. C. No. 22340. Sample No. 41123-H.)**

**LIBEL FILED:** December 27, 1946, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about July 5, 1946, by J. Solomon and Sons, from Cairo, Ill.

**PRODUCT:** 49 70-pound bags of pecans at St. Louis, Mo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of filthy and decomposed substances by reason of the presence of insect-infested, moldy, rancid, and decomposed pecans, and it was otherwise unfit for food by reason of the presence of empty shells.

**DISPOSITION:** January 28, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, conditioned that the purchaser eliminate and destroy the unfit portion, under the supervision of the Food and Drug Administration.

**10480. Adulteration of pecan pieces. U. S. v. 5 Boxes \* \* \*. (F. D. C. No. 21374. Sample No. 53094-H.)**

**LIBEL FILED:** October 25, 1946, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about June 13, 1946, by the Fort Worth Pecan Shelling Co., from Fort Worth, Tex.

**PRODUCT:** 5 60-pound boxes of pecan pieces at Cleveland, Ohio.

**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 larvae and insect parts.

**DISPOSITION:** December 5, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10481. Adulteration of pecan pieces. U. S. v. 7 Cases \* \* \*. (F. D. C. No. 21943. Sample No. 54667-H.)**

**LIBEL FILED:** December 5, 1946, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about November 2, 1946, by the Consolidated Pecan Sales Co., from Savannah, Ga.

**PRODUCT:** 7 30-pound cases of pecan pieces at Clermont, Fla.

**LABEL, IN PART:** "Large Pieces Selected Pecan Meats."

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

**DISPOSITION:** January 9, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10482. Adulteration of shelled English walnuts. U. S. v. 19 Boxes \* \* \*. (F. D. C. No. 21756. Sample Nos. 40129-H, 40130-H.)**

**LIBEL FILED:** On or about November 26, 1946, Eastern District of Arkansas.

**ALLEGED SHIPMENT:** On or about October 18 and 29, 1946, by Stewart's, from Memphis, Tenn.

**PRODUCT:** 19 25-pound boxes of shelled English walnuts at Helena, Ark.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of filthy and decomposed substances by reason of the presence of insects and rancid nuts.

**DISPOSITION:** January 7, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10483. Adulteration of peanut butter. U. S. v. 14 Cases \* \* \*. (F. D. C. No. 21631. Sample No. 64410-H.)**

**LIBEL FILED:** November 14, 1946, Southern District of New York.

**ALLEGED SHIPMENT:** On or about May 13, 1946, from New Haven, Conn., by the Nut Food Co., Inc.

**PRODUCT:** 14 cases, each containing 12 2-pound jars, of peanut butter at Bronx, N. Y.

**LABEL, IN PART:** "Armour's Star Homogenized Peanut Butter \* \* \* Armour and Company, Distributors \* \* \* Chicago, Ill."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of grit.

**DISPOSITION:** December 18, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

### OILS AND FATS

**10484. Adulteration of edible oil. U. S. v. 11 Cases \* \* \*. (F. D. C. No. 16333. Sample No. 6154-H.)**

**LIBEL FILED:** June 4, 1945, District of New Jersey.

**ALLEGED SHIPMENT:** On or about April 10, 1945, by the Balbo Oil Co., from Brooklyn, N. Y.

**PRODUCT:** 11 cases, each containing 6 1-gallon cans, of edible oil at Newark, N. J.

**LABEL, IN PART:** "Balbo Brand Refined Peanut, Sunflower, Corn, Cottonseed Salad Oils and Pure Olive Oil."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "Refined Peanut, Sunflower, Corn, Cottonseed Salad Oils and Pure Olive Oil" was misleading as applied to an article which contained little or no olive oil.

**DISPOSITION:** January 27, 1947. The shipper having withdrawn its claim and answer and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

**10485. Adulteration and misbranding of popcorn seasoning oil. U. S. v. 50 Cartons \* \* \*. (F. D. C. No. 21334. Sample No. 72611-H.)**

**LIBEL FILED:** October 17, 1946, District of Utah.

**ALLEGED SHIPMENT:** On or about August 28, 1946, by the Bernau Processing Plant, from Lake City, Iowa.

**PRODUCT:** 50 cartons, each containing 4 1-gallon jugs, of popcorn seasoning oil at Salt Lake City, Utah.

**LABEL, IN PART:** "Popswell Brand Popcorn Seasoning."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), artificially colored and flavored mineral oil, which had no food value, had been substituted for popcorn seasoning, a product consisting of butter or edible vegetable oil, which the article was represented to be; and, Section 402 (b) (4), artificial color and artificial flavor had been added to mineral oil so as to make it appear to be butter oil, which is better and of greater value than the article.

Misbranding, Section 403 (a), the label statement "Popcorn Seasoning" was false and misleading as applied to a product consisting of mineral oil, artificially colored and artificially flavored.

**DISPOSITION:** December 20, 1946. No claimant having appeared, judgment was entered ordering that the product be destroyed.