

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 insect-infested peanuts.

DISPOSITION: January 17, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10669. Adulteration of peanuts in shell. U. S. v. 91 Bags * * *. (F. D. C. No. 18034. Sample Nos. 14231-H, 14232-H.)

LIBEL FILED: October 24, 1945, Southern District of Ohio.

ALLEGED SHIPMENT: On or about August 22 and September 21, 1945, by the National Peanut Corporation, from Suffolk, Va.

PRODUCT: 91 bags of peanuts at Cincinnati, Ohio.

LABEL, IN PART: "Planters Royal Brand Peanuts Planters Nut & Chocolate Co. Suffolk, Va."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of live worms, insect excreta, webbing, and insect-damaged peanuts.

DISPOSITION: November 27, 1945. The National Peanut Corporation, claimant, having denied the allegations of the libel, and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and converted into stock feed, and that the fit portion be reconditioned for human consumption, under the supervision of the Food and Drug Administration.

10670. Adulteration of peanuts in shell. U. S. v. 31 Bags * * *. (F. D. C. No. 18060. Sample No. 23519-H.)

LIBEL FILED: October 26, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about December 2, 1944, by the Bertie Peanut Co., Inc., from Roxobel, N. C.

PRODUCT: 31 95-pound bags of peanuts at St. Louis, Mo.

LABEL, IN PART: "Bertie's Jumbo Hand Picked Peanuts."

NATURE OF CHARGE: 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, and insect-damaged peanuts.

DISPOSITION: November 26, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, conditioned that it be denatured and disposed of for purposes other than for human consumption.

10671. Adulteration of shelled peanuts. U. S. v. 6 Boxes * * *. (F. D. C. No. 17984. Sample No. 23342-H.)

LIBEL FILED: October 16, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about August 28, 1945, by the Perry Co., from Camilla, Ga.

PRODUCT: 6 25-pound boxes of shelled peanuts at St. Louis, Mo.

NATURE OF CHARGE: 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 dirty and decomposed peanuts.

DISPOSITION: November 27, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, conditioned that it be denatured and disposed of for purposes other than for human consumption.

10672. Adulteration of shelled pecans. U. S. v. 50 Cases * * * (and 5 other seizure actions). (F. D. C. Nos. 19365, 19960, 20222, 20257, 20360, 20414. Sample Nos. 155-H, 158-H, 167-H, 168-H, 21982-H, 35527-H, 35528-H, 52728-H.)

LIBELS FILED: Between the approximate dates of March 25 and July 18, 1946, Western District of Tennessee, Southern District of Florida, and Northern District of Ohio.

ALLEGED SHIPMENT: Between the approximate dates of February 4 and May 17, 1946, by Thad Huckabee, from Albany, Ga.

PRODUCT: Shelled pecans. 83 30-pound cases and 20 50-pound cases at Memphis, Tenn.; 17 50-pound cases and 17 30-pound cases at Tampa, Fla.;

and 104 30-pound cases at Cleveland, Ohio. Examination of the product showed the presence of *Escherichia coli*, an organism which indicates pollution of fecal origin.

LABEL, IN PART: "Red Seal Pecans."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of *E. coli*.

DISPOSITION: May 10 and August 2, 13, and 29, 1946. Thad Huckabee appeared as claimant for the 2 Memphis lots, 1 of the Tampa lots, and the Cleveland lot, and consented to the entry of decrees. Judgments of condemnation were entered, and these 4 lots were ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

On August 7, 1946, no claimant having appeared for the other 2 Tampa lots, judgments of condemnation were entered and the product was ordered destroyed.

10673. Adulteration of shelled pecans and pecan pieces. U. S. v. 75 Boxes of Shelled Pecans and 5 Boxes of Pecan Pieces. (F. D. C. Nos. 18228, 18467. Sample Nos. 861-H, 4656-H.)

LIBELS FILED: October 29 and November 27, 1945, Northern District of Georgia and Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about March 26 and October 19, 1945, by the Orangeburg Pecan Co., from Orangeburg, S. C.

PRODUCT: 75 60-pound boxes of shelled pecans at Atlanta, Ga., and 5 30-pound boxes of pecan pieces at Philadelphia, Pa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of decomposed substances by reason of the presence of moldy, rancid, and decomposed pecans.

DISPOSITION: On November 5, 1945, the Columbia Baking Co., Atlanta, Ga., claimant for the Atlanta lot, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation of the fit and usable portion, under the supervision of the Food and Drug Administration. The remainder of this lot was to be utilized for stock feed or destroyed.

On January 10, 1946, no claimant for the Philadelphia lot having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution, for use as stock feed.

10674. Adulteration of shelled walnuts. U. S. v. 245 Cases * * *. (F. D. C. No. 18070. Sample No. 36934-H.)

LIBEL FILED: November 5, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about September 28, 1945, by the California Walnut Growers Association, Los Angeles, Calif.

PRODUCT: 245 cases of shelled walnuts at Seattle, Wash.

LABEL, IN PART: "Emerald Brand Grade Pieces 25 Pounds Net Weight Shelled Walnuts."

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 insect-damaged walnut meats.

DISPOSITION: January 23, 1946. The California Walnut Growers Association, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated from the fit portion, under the supervision of the Federal Security Agency.

10675. Adulteration of walnut meats. U. S. v. 30 Cases * * *. (F. D. C. No. 17987. Sample No. 36791-H.)

LIBEL FILED: October 18, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about August 29, 1945, by the L. DeMartini Co., from San Francisco, Calif.

PRODUCT: 30 25-pound cases of walnut meats at Seattle, Wash.