

13858. Adulteration of pecans. U. S. v. 26 Bags * * *. (F. D. C. No. 25389. Sample No. 15074-K.)

LIBEL FILED: September 13, 1948, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 9, 1948, by Bob Randall, Nashville, Tenn.

PRODUCT: 26 Bags, containing approximately 2,350 pounds, of pecans at Chicago, Ill.

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 insects and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 18, 1948. Default decree of condemnation and destruction.

13859. Adulteration of walnut meats. U. S. v. 26 Cases * * *. (F. D. C. No. 25084. Sample No. 9215-K.)

LIBEL FILED: July 13, 1948, Eastern District of New York.

ALLEGED SHIPMENT: On or about April 22, 1947, from Los Angeles, Calif.

PRODUCT: 26 25-pound cases of walnut meats at Maspeth, N. Y.

NATURE OF CHARGE: The article was adulterated while held for sale after shipment in interstate commerce under Section 402 (2) (3), in that it consisted in whole or in part of a filthy and decomposed substance by reason of the presence of rancid, wormy, and moldy nuts.

DISPOSITION: September 28, 1948. Default decree of condemnation and destruction.

13860. Adulteration and misbranding of peanut butter and adulteration of mustard. U. S. v. Fletcher-Wilson Coffee Co. Plea of nolo contendere. Fine, \$1,000. (F. D. C. No. 24770. Sample Nos. 637-K, 18712-K to 18714-K, incl.)

INFORMATION FILED: June 16, 1948, Middle District of Tennessee, against the Fletcher-Wilson Coffee Co., a corporation, Nashville, Tenn.

ALLEGED SHIPMENT: On or about August 4 and September 24, 1947, from the State of Tennessee into the States of Georgia and Kentucky.

LABEL, IN PART: "Justice Prepared Mustard and Mustard Bran" and "Luxury Peanut Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of insect fragments, rodent hair fragments, and rodent excreta fragments; and, Section 402 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

Misbranding, Section 403 (e) (2), a portion of the peanut butter failed to bear a label containing an accurate statement of the quantity of the contents. The label statements "8½ Oz. Net" and "1 Lb. Net," were inaccurate since the jars of the article contained less than those amounts.

DISPOSITION: October 6, 1948. A plea of nolo contendere having been entered, the court imposed a fine of \$200 on each of the five counts of the information.

13861. Adulteration of peanut butter. U. S. v. 99 Cases * * *. (F. D. C. No. 25222. Sample No. 23293-K.)

LIBEL FILED: On or about July 27, 1948, Southern District of Texas.

ALLEGED SHIPMENT: On or about June 30, 1948, by Reid Murdoch, from Chicago, Ill.

PRODUCT: 99 cases, each containing 24 8-ounce jars, of peanut butter at Houston, Tex.

LABEL, IN PART: "Monarch Peanut Butter."

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 insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 1, 1948. Default decree of condemnation. The product was ordered delivered to public institutions, for use as stock feed.

13862. Adulteration and misbranding of peanut butter. U. S. v. 20 Cases * * *.
(F. D. C. No. 24037. Sample No. 26145-K.)

LIBEL FILED: On or about January 7, 1948, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 30, 1947, by the Southwestern Nut & Oil Co., from Sand Springs, Okla.

PRODUCT: 20 cases, each containing 12 28-ounce jars, of peanut butter at Springfield, Mo.

LABEL, IN PART: "Cimarron Homogenized Peanut Butter 28 Oz. Net Wt."

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 insects, insect parts, and fragments.

Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The jars contained less than the labeled 28 ounces net weight.)

DISPOSITION: April 5, 1948. Default decree of destruction.

OILS AND FATS

13863. Adulteration and alleged misbranding of Pop'n Oil. U. S. v. 36 Drums * * *. Tried to the court. Judgment for claimant; Judgment reversed on appeal. Decree of condemnation. (F. D. C. No. 10813. Sample No. 28049-F.)

LIBEL FILED: On or about September 27, 1943, Northern District of Georgia.

ALLEGED SHIPMENT: On or about July 3, 1943, by the J. V. Blevins Co., from Nashville, Tenn.

PRODUCT: 36 400-pound drums of Pop'n Oil at Atlanta, Ga. Examination showed that the product consisted of mineral oil, artificially flavored, with an imitation butter flavor and artificially colored yellow.

LABEL, IN PART: (Stencil on drums) "Pop N Oil Contains Liquid Petrolatum Plastic Butter Flavor Artificial Flavor & Color For Mfg. & Redist. Use Only"; (stick label on drums) "Pop N Oil Liquid Petrolatum, Plastic Butter Flavor (containing butter, esters, lecithin, casein, alcohol, starch) Artificial Flavoring Color Added For Mfg. and Redistribution Use Only."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), mineral oil having no food value had been substituted for the universally recognized components of popcorn dressing or oil, i. e., butter or an edible vegetable oil; Section 402 (b) (3), inferiority had been concealed by the addition of artificial color and flavor; and, Section 402 (b) (4), artificial color and flavor had been added to