

SHIPPED: Late 1956 or early 1957, from Swedesboro, N.J., by California Packing Corp.

RESULTS OF INVESTIGATION: Investigation revealed that the tomato juice was shipped unlabeled.

LIBELED: 4-7-58, E. Dist. Pa.

CHARGE: 403(e)—when shipped, the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; and 403(i) (1)—the article failed to bear a label containing the common or usual name of the food.

DISPOSITION: 5-7-58. Default—destruction.

NUTS*

24735. Shelled peanuts. (F.D.C. No. 41292. S. No. 85-209 M.)

QUANTITY: 417 120-lb. bags at Chicago, Ill.

SHIPPED: 10-26-57, from Dawson, Ga., by Stevens Industries, Inc.

LIBELED: 12-16-57, N. Dist. Ill.

CHARGE: 402(a) (3)—contained insects and insect fragments when shipped.

DISPOSITION: 12-16-57. Consent—claimed by Stevens Industries, Inc. Of the 26 120-lb. bags actually seized, the claimant denatured 2,600 lbs. for use as seed and disposed of the remainder for use as hog feed.

24736. Shelled peanuts. (F.D.C. No. 41217. S. No. 17-952 M.)

QUANTITY: 166 120-lb. bags at Milwaukee, Wis.

SHIPPED: 11-18-57, from Camilla, Ga., by Camilla Cotton Oil Co.

LIBELED: 12-9-57, E. Dist. Wis.

CHARGE: 402(a) (3)—contained insects when shipped.

DISPOSITION: 1-30-58. Consent—claimed by Camilla Cotton Oil Co. Segregated; 720 lbs. found unfit.

24737. Unshelled peanuts. F.D.C. No. 41218. S. No. 80-261 M.)

QUANTITY: 39 95-lb. bags at Chariton, Iowa, in possession of Chariton Wholesale Grocery.

SHIPPED: 11-4-57, from Lincoln, Nebr.

LIBELED: 12-9-57, S. Dist. Iowa.

CHARGE: 402(a) (3)—contained rodent urine and rodent-gnawed peanuts; and 402(a) (4)—held under insanitary conditions.

DISPOSITION: 12-27-57. Consent—claimed by Chariton Wholesale Grocery. Segregated; 627 lbs. destroyed.

24738. Pistachio nuts and unshelled almonds. (F.D.C. No. 41337. S. No. 78-039 M.)

QUANTITY: 2 cases, 2 25-lb. tins each, of pistachio nuts and 868 lbs. of almonds at Omaha, Nebr.

SHIPPED: The almonds were shipped on 10-22-57, from Sacramento, Calif., by California Almond Growers Exchange and the pistachio nuts were shipped on 10-24-57, from New York, N.Y., by the American Pistachio Corp.

*See also Nos. 24673 and 24719.

LIBELED: 1-8-58, Dist. Nebr.

CHARGE: 402(a)(3)—contained insects when shipped.

DISPOSITION: 2-4-58. Default—consumption by animals.

24739. Unshelled pecans. (F.D.C. No. 41576. S. No. 20-063 P.)

QUANTITY: 34 cases, 24 1-lb. bags each, at Tulsa, Okla.

SHIPPED: 11-20-57, from Dallas, Tex., by Hines Produce Co.

LABEL IN PART: (Bag) "Triple HHH Brand * * * Pecans."

LIBELED: 2-13-58, N. Dist. Okla.

CHARGE: 402(a)(3)—contained moldy nuts when shipped.

DISPOSITION: 3-28-58. Default—destruction.

24740. Unshelled pecans. (F.D.C. No. 41219. S. No. 73-124 M.)

QUANTITY: 167 cases, 24 bags each, at Denver, Colo.

SHIPPED: 11-1-57 and 11-9-57, from Dallas, Tex., by Hines Produce Co.

LABEL IN PART: (Bag) "Golden Goodee One Full Pound * * * Extra Large Pecans."

LIBELED: 12-12-57, Dist. Colo.

CHARGE: 402(a)(3)—contained decomposed nuts when shipped.

DISPOSITION: 1-24-58. Consent—claimed by Hines Produce Co. and destroyed.

OILS AND FATS

24741. Vegetable oils. (Inj. No. 312.)

COMPLAINT FOR INJUNCTION FILED: 5-14-57, S. Dist. Calif., against Strathmore Oils & Fats Co., Inc., Strathmore, Calif., Malaga Oil Products Division of Leghorn Trading Co., Inc., Lindsay, Calif., Georges Valabregue, president and general manager of Strathmore, and James B. Fowler, vice-president and general manager of the Lindsay plant of Malaga. Amended complaint filed 9-7-57.

CHARGE: The original complaint alleged that the defendants were engaged in the business of manufacturing, preparing, and distributing oils for edible and medicinal purposes; and, that the defendants had been and were, at the time of filing the complaint, introducing and causing to be introduced and delivering and causing to be delivered for introduction into interstate commerce, said oils which were adulterated within the meaning of 402(a)(3) and 402(a)(4). The complaint alleged that the oils were adulterated, also, under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices.

The original complaint alleged that the raw materials involved—namely, olive pomace, sesame seed, walnut oil stock, almond oil stock, and other by-product materials—were purchased from various food processors for use in the manufacture of the oils and were delivered to the Strathmore plant of defendant, Strathmore Oils & Fats Co., Inc.; that, upon receipt, the raw materials were stored under insanitary conditions at the Strathmore plant; that the contaminated raw materials were subsequently dried and put through a solvent extraction process to remove the oils in such raw materials; that the oils so extracted were placed in storage tanks at the Strathmore plant and held there until they were delivered to the Lindsay plant of the Malaga Oil Products Division; and, that upon delivery to the Lindsay plant the oils were