

RESULTS OF INVESTIGATION: The article was repacked by the dealer from bulk beans shipped as described above. Examination showed the article to be small dried dark red beans. The quantity of contents statements were obscured by beans in the background, and the name of the article did not appear on the label in the English language.

LIBELED: 8-2-61, N. Dist. Calif. ✓

CHARGE: 403(f)—while held for sale, the information required to appear on the label under 403 (e) (2) and (i) (1), namely, the quantity of contents statement, and the common or usual name of the article, was not prominently placed thereon with such conspicuousness (as compared with other words and statements on the label) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 8-9-61. Consent—claimed by Japan Food Corp., and relabeled.

27629. Canned sauerkraut. (F.D.C. No. 46491. S. No. 30-111 T.)

QUANTITY: 383 cases, 6 6-lb. 3-oz. cans each, at Riverside, Calif.

SHIPPED: 7-19-61, from Ogden, Utah, by Storey Food Products.

LABEL IN PART: (Case) "Del Haven Sauerkraut" and (can) "Del Haven Sauerkraut * * * Packed for Federated Foods, Inc. Chicago, Ill., San Francisco, Calif."

LIBELED: 10-6-61, S. Dist. Calif. ✓

CHARGE: 402(a) (3)—contained live maggots; and 402(a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: 11-2-61. Default—destruction.

NUTS AND NUT PRODUCTS

27630. Shelled almonds. (F.D.C. No. 46285. S. No. 80-600 R.)

QUANTITY: 88 100-lb. bags at Malden, Mass.

SHIPPED: 10-17-56, from Sacramento, Calif.

LIBELED: 8-21-61, Dist. Mass. ✓

CHARGE: 402(a) (3)—contained insects while held for sale.

DISPOSITION: 10-2-61. Default—destruction.

27631. Shelled peanuts. (F.D.C. No. 46143. S. No. 63-977 R.)

QUANTITY: 504 124-lb. bags at Nashville, Tenn.

SHIPPED: 7-5-61, from Macon, Ga.

RESULTS OF INVESTIGATION: Examination showed that the article had a foreign and offensive taste due to having been damaged by fire and smoke in fire in rail car while en route.

LIBELED: 7-26-61, M. Dist. Tenn. ✓

CHARGE: 402(a) (3)—while in interstate commerce, the article was unfit for food because of having a foreign and offensive taste caused by fire and smoke.

DISPOSITION: 7-31-61. Consent—claimed by L & N Railroad, Nashville, Tenn., and sold for use as animal feed.

27632. Brazil nuts (2 seizure actions). (F.D.C. Nos. 45121, 45266. S. Nos. 1-326 R, 45-491 R.)

QUANTITY: 89 cases, 24 1-lb. pkgs. each, at Forest Park, Ga.

SHIPPED: 10-3-60 and 10-5-60, from Chico, Calif.

LIBELED: 11-28-60 and 12-2-60, N. Dist. Ga.

CHARGE: 402(a)(3)—contained insect-damaged, moldy, rancid, gummy, decomposed, shriveled nuts, and empty shells while held for sale.

DISPOSITION: 3-24-61. Consent—claimed by Continental Nut Co., Chico, Calif. Segregated; 72 lbs. destroyed.

27633. Lotus seeds. (F.D.C. No. 46492. S. No. 48-922 T.)

QUANTITY: 17 27½-lb. tins in 8 cases, at San Francisco, Calif.

SHIPPED: 7-17-61, from Bangkok, Thailand.

LIBELED: 10-6-61, N. Dist. Calif. ✓

CHARGE: 402(a)(3)—contained insects, insect excreta, and insect-damaged seeds while held for sale.

DISPOSITION: 11-3-61. Default—destruction.

SPICES, FLAVORS, AND SEASONING MATERIALS

27634. Black pepper. (F.D.C. No. 46459. S. No. 4-281 T.)

QUANTITY: 46 cases, 24 shakers each, at Landover, Md.

SHIPPED: 9-1-61 and 9-5-61, from Silver Springs, N.Y., by Morton Salt Co.

LABEL IN PART: (Shaker) "Morton Pepper Table Shaker Net Wt. 1½ Ozs. Pure Black Pepper Medium Grind Morton Salt Company Chicago, Illinois."

RESULTS OF INVESTIGATION: Examination showed that the net weight statement was printed in very small blurred type making it difficult to read.

LIBELED: 9-20-61, Dist. Md. ✓

CHARGE: 403(f)—when shipped, the information required to appear on the label under 403(e)(2), namely, an accurate statement of the quantity of contents, was not prominently placed thereon with such conspicuousness (as compared with other words and statements on the label) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 10-25-61. Default—delivered to charitable institutions.

27635. Black pepper. (F.D.C. No. 45542. S. Nos. 34-578/80 R., 34-590 R., 34-592 R.)

QUANTITY: 780 140-lb. bags at New York, N.Y., in possession of Ware-Pack, Inc.

SHIPPED: Between 12-20-58 and 3-9-60, from India.

LIBELED: 4-11-61, S. Dist. N.Y. ✓

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

DISPOSITION: 5-4-61. Consent—claimed by Norda Essential Oil & Chemical Co., Inc., New York, N.Y. Segregated; 53 bags destroyed.

27636. Black pepper. (F.D.C. No. 45542. S. No. 34-586 R.)

QUANTITY: 80 140-lb. bags at New York, N.Y., in possession of Ware-Pack, Inc.

SHIPPED: 8-30-60, from India.

LIBELED: 4-11-61, S. Dist. N.Y.