

On December 14, 1939, M. M. Levy, claimant, having admitted the allegations of the libel and the cases having been consolidated, judgment of condemnation was entered and the product was ordered released under bond for resorting and salvaging the good portions.

304. Adulteration of almonds in shell. U. S. v. 28 Bags of Almonds. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 1148. Sample No. 83346-D.)

On December 5, 1939, the United States attorney for the Western District of Washington filed a libel against 28 bags of almonds at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about October 14, 1939, from Oakland, Calif., by Rosenberg Bros. & Co.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance. The article was labeled in part: "Ensign Brand Calif. IXL Almonds."

On December 21, 1939, Rosenberg Bros. & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it should not be disposed of in violation of the law.

PEANUT BUTTER

305. Adulteration of peanut butter. U. S. v. 73 Cases and 42 Cans of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 701. Sample No. 70331-D.)

This product contained insect fragments, rodent hairs, and dirt.

On October 11, 1939, the United States attorney for the District of New Jersey filed a libel against 73 cases, each containing two 25-pound cans, and forty-two 25-pound cans of peanut butter at Trenton, N. J., alleging that the article had been shipped in interstate commerce within the period from on or about October 12, 1938, to on or about July 8, 1939, by Chase Sales Co. from Norfolk, Va.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Our Diamond Brand Peanut Butter * * * Old Reliable Peanut Company Suffolk, Va."

On November 13, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

306. Adulteration of peanut butter. U. S. v. 20 Cases, 22 Cases, 30 Cases, and 10 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 790. Sample No. 79188-D.)

This product contained insect fragments and dirt.

On October 25, 1939, the United States attorney for the Middle District of North Carolina filed a libel against 82 cases of peanut butter at Albemarle, N. C., alleging that the article had been shipped in interstate commerce on or about September 7, 1939, by Dixieland Products Co. from Columbus, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Dixieland Peanut Butter."

On January 6, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

307. Adulteration of peanut butter. U. S. v. 7 Cases, 12 Cases, 4 Cases, and 19 Cases of Peanut Butter. Default decrees of condemnation and destruction. (F. D. C. Nos. 801, 812. Sample Nos. 79200-D, 82961-D.)

Samples of this product were found to contain insect fragments and dirt.

On October 25, 1939, the United States attorney for the Middle District of North Carolina filed libels against 23 cases of various-sized jars of peanut butter at High Point, N. C., and 19 cases of peanut butter at Wilkesboro, N. C., alleging that the article had been shipped in interstate commerce on or about August 29 and September 7, 1939, by Dixieland Products Co. from Columbus, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Dixieland Peanut Butter."

On January 6, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

308. Adulteration of peanut butter. U. S. v. 16 Cases and 12 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 1078. Sample Nos. 70256-D, 70257-D.)

Examination showed that this product contained rodent hairs, insect fragments, and dirt.