

5749. Adulteration of California shelled walnuts. U. S. v. 6 Cases of California Shelled Walnuts. Default decree of condemnation and destruction. (F. D. C. No. 12357. Sample No. 58089-F.)

This product had been stored under insanitary conditions after shipment in interstate commerce. The cases had been torn and gnawed by rodents, and rodent excreta was found on the cases. Examination of samples showed that the product contained rodent excreta and rodent hairs.

On May 13, 1944, the United States attorney for the District of Nebraska filed a libel against 6 cases of California shelled walnuts at Scottsbluff, Nebr., alleging that the article, which was in the possession of the Nash-Finch Co., had been shipped on or about November 29, 1943, from Los Angeles, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been held under insanitary conditions whereby it might have become contaminated with filth.

On June 20, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5750. Adulteration of shelled Spanish peanuts. U. S. v. 102 Bags of Shelled Spanish Peanuts. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of the unfit portion. (F. D. C. No. 12328. Sample No. 76354-F.)

This product had been stored under insanitary conditions after shipment in interstate commerce. Some of the bags had been torn by rodents and contained urine stains. Examination of samples showed that the product was contaminated with rodent excreta.

On or about May 6, 1944, the United States attorney for the District of Connecticut filed a libel against 102 bags, each containing about 135 pounds, of shelled Spanish peanuts at New Haven, Conn.; alleging that the article, which was in the possession of the Nut Food Co., Inc., had been shipped on or about October 9, 1943, from Albany, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been held under insanitary conditions whereby it might have become contaminated with filth.

On June 7, 1944, the Nut Food Co., Inc., New Haven, Conn., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the unfit portion under the supervision of the Food and Drug Administration.

5751. Adulteration of sugar-coated peanuts. U. S. v. 46 Boxes of Sugar-coated Peanuts. Default decree of condemnation and destruction. (F. D. C. No. 10785. Sample No. 45037-F.)

On September 17, 1943, the United States attorney for the District of Connecticut filed a libel against 46 boxes, each containing 24 cellophane bags, of sugar-coated peanuts at Hartford, Conn., alleging that the article had been shipped in interstate commerce on or about August 27, 1943, by Havmor Food Products from Brooklyn, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance because of the presence of worms, insect excreta, and worm-cut peanuts. The article was labeled in part: (Label stapled on top of bag) "Havmor Tasty Toasted Nuts Consists of Sugar and Peanuts."

On October 15, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5752. Adulteration and misbranding of peanut butter. U. S. v. 99 Cases of Peanut Butter. Default decree of condemnation. Product ordered delivered to a charitable institution for use as animal food. (F. D. C. No. 10809. Sample No. 41402-F.)

This product contained insect fragments, rodent excreta, and dirt, and also was short-weight.

On September 21, 1943, the United States attorney for the Southern District of Texas filed a libel against 99 cases of peanut butter at Houston, Tex., alleging that the article had been shipped on or about August 3 and 23, 1943, by the Robertson Peanut Co. from Clayton, Ala.; and charging that it was adulterated in that it consisted in whole or in part of filthy substances, and that it was misbranded in that the statement "Net weight 1½ pound" was false and misleading as applied to an article that was short-weight. The article was labeled in part: "Delicious Brand Peanut Butter."

On December 2, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution for use as animal feed.