

6540. Adulteration of sweetened coconut. U. S. v. 263 Boxes of Sweetened Coconut. Decree of condemnation and destruction. (F. D. C. No. 11946. Sample No. 35491-F.)

LIBEL FILED: On or about March 4, 1944, Middle District of Georgia.

ALLEGED SHIPMENT: From on or about November 10 to 26, 1943, by MacSmith Meneses (Howard Preserving Co., Inc.), from Miami, Fla.

PRODUCT: 263 boxes containing a total of approximately 24,424 pounds of sweetened coconut, at Columbus, Ga.

LABEL, IN PART: (Box) "La Balear Habana Hecho en Cuba."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of moldy, sour, and rancid coconut.

DISPOSITION: March 13, 1944. The owner of the product, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

6541. Adulteration of filberts. U. S. v. 46 Sacks of Filberts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 12088. Sample No. 70822-F.)

LIBEL FILED: March 27, 1944, Western District of Washington.

ALLEGED SHIPMENT: On or about March 13, 1944, by C. A. Nordstrom, from Portland, Oreg.

PRODUCT: 46 sacks, each containing 75 pounds, of filberts, at Tacoma, Wash. Examination showed the presence of moldy nuts.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: April 20, 1944. The Brown & Haley Candy Co., Tacoma, Wash., having appeared as claimant and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration. The unfit portion was segregated and denatured.

6542. Adulteration of peanut butter. U. S. v. 46 Cases, 42 Cases, and 49 Cases of Peanut Butter. Default decrees ordering portion of product disposed of as hog feed and remainder destroyed. (F. D. C. Nos. 12067, 12706. Sample Nos. 36757-F, 36758-F, 58025-F.)

LIBELS FILED: March 23 and June 16, 1944, Districts of Utah and Idaho.

ALLEGED SHIPMENT: From on or about September 29, 1942, to September 21, 1943, by the Robertson Peanut Co., Clayton, Ala.

PRODUCT: Peanut butter: 46 cases, each containing 24 1-pound jars, at Salt Lake City, Utah; and 42 cases, each containing 12 1½-pound jars, and 49 cases, each containing 24 1-pound jars, at Twin Falls, Idaho.

LABEL, IN PART: "Delicious Brand Peanut Butter."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetle fragments in one portion and insect fragments and dirt in the remainder.

DISPOSITION: On May 27 and August 24, 1944, no claimant having appeared, the lot at Salt Lake City was ordered disposed of as hog feed, and the lot at Twin Falls was ordered destroyed.

6543. Misbranding of peanut butter. U. S. v. 51 Cases of Peanut Butter. Decree of condemnation. Product ordered destroyed. (F. D. C. No. 12140. Sample No. 43795-F.)

LIBEL FILED: April 14, 1944, District of Kansas.

ALLEGED SHIPMENT: On or about February 2, 1944, by the Geo. Hogue Mercantile Co., from Kansas City, Mo.

PRODUCT: 51 cases, each containing 12 jars, of peanut butter at Wichita, Kans.

LABEL, IN PART: (Jar) "Net Wt. 1 Lb. 8 Oz. Missouri Valley Brand Peanut Butter."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statements on the labeling, "Enriched With High Protein Soya Product," and "Net Wt. 1 Lb. 8 Oz.," were false and misleading as applied to the article, which contained no soya product, and which was less than the declared weight; and, Section 403 (e) (2), it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.