

**6967. Adulteration of peanuts. U. S. v. 40 Bags, 225 Bags, 250 Bags, and 310 Bags of Peanuts. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. No. 13217. Sample Nos. 50072-F to 50075-F, incl.)**

**LIBELS FILED:** August 10, 1944, Western District of New York.

**ALLEGED SHIPMENT:** From on or about February 16 to April 13, 1944, from Franklin, and Suffolk, Va.

**PRODUCT:** 825 bags, each containing 92 pounds, of peanuts at Buffalo, N. Y., in the possession of the Market Terminal Warehouse.

This product has been stored, after shipment, under insanitary conditions. Investigation showed heavy insect infestation throughout the warehouse. Examination disclosed the presence of larvae in the product.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** September 14, 1944. The Buffalo Nut Shops, Inc., Buffalo, N. Y., claimant, having admitted the allegations of the libels, judgments of condemnation were 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.

**6968. Adulteration of peanuts. U. S. v. 200 Bags and 6,395 Bags of Peanuts. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 12969, 12970. Sample Nos. 79562-F to 79581-F, incl.)**

**LIBELS FILED:** July 17, 1944, District of Columbia.

**PRODUCT:** 3,574 bags, each containing 120 pounds, 2,878 bags, each containing 115 pounds, and 143 bags, of peanuts, at Washington, D. C., in the possession of the Terminal Refrigerating & Warehousing Corp.

This product had been stored under insanitary conditions after shipment. The storage space was overrun with mice, and the bags had been gnawed by rodents and were urine-stained. Spilled peanuts and rodent excreta were found on the bags and surrounding area. Examination disclosed the presence of rodent-chewed peanuts, rodent excreta, and rodent hairs in the product.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** On August 17, 1944, the Gold Craft Co., Washington, D. C., having appeared as claimant for 200 bags of the peanuts and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, for denaturing into animal feed. On August 30, 1944, the claimant having decided to abandon its plan for the denaturing, an amended decree was entered providing for the delivery of the product to the National Zoological Park, for use as animal feed. On September 7, 1944, Safeway Stores, Inc., having appeared as claimant for the remainder of the product, judgment of condemnation was entered and it was ordered released under bond, for conversion into oil for technical use, fertilizer, and animal feed. On September 28, 1944, an amended decree was entered extending the time in which to complete the conversion of the product. On October 6, 1944, an order to further amend the decree was entered providing for the segregation of the good portion from the bad, under the supervision of the Food and Drug Administration, the good portion to be released for human consumption.

**6969. Adulteration of shelled peanuts. U. S. v. 200 Bags of Shelled Peanuts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13251. Sample No. 87330-F.)**

**LIBEL FILED:** August 17, 1944, Northern District of Iowa.

**ALLEGED SHIPMENT:** On or about November 10, 1943, by the Alabama Warehouse Co., Inc., from Troy, Ala.

**PRODUCT:** 200 bags, each containing 125 pounds, of shelled peanuts at Sioux City, Iowa.

**LABEL, IN PART:** "No. 1 Shelled Runner Peanuts."

**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 larvae.