

10868. Misbranding of peanut butter. U. S. v. 105 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 19224 to 19226, incl. Sample Nos. 41827-H, 41828-H, 41833-H.)

LIBELS FILED: February 23 and 25, 1946, Eastern District of North Carolina.
ALLEGED SHIPMENT: On or about December 21, 1945, and January 3 and 4, 1946, by the Old Reliable Peanut Co., Inc., from Suffolk, Va.

PRODUCT: 105 cases, 38 cases, and 42 cases, each containing 24 jars, of peanut butter at Williamston, Washington, and Kinston, N. C. Examination showed that the product was short-weight.

LABEL, IN PART: (Jars) "Old Reliable Peanut Butter Weight 8¾ Ozs. Net."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: March 21, 1946. The Old Reliable Peanut Co., Inc., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Food and Drug Administration.

10869. Misbranding of peanut butter. U. S. v. 24 Cases * * *. F. D. C. No. 19446. Sample No. 12698-H.)

LIBEL FILED: On or about March 22, 1946, District of Massachusetts.

ALLEGED SHIPMENT: On or about February 8, 1946, by the Crescent Nut and Chocolate Co., from Philadelphia, Pa.

PRODUCT: 24 cases, each containing 24 jars, of peanut butter at Boston, Mass. Examination showed that the product was short-weight.

LABEL, IN PART: "Crescent Peanut Butter * * * Net Wt. 1 Lb. Avoir."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: August 6, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

10870. Misbranding of peanut butter. U. S. v. 7 Cases * * *. (F. D. C. No. 19134. Sample No. 14467-H.)

LIBEL FILED: February 1, 1946, Northern District of Ohio.

ALLEGED SHIPMENT: On or about December 18, 1945, by the Peanut Products Co., from Des Moines, Iowa.

PRODUCT: 70 cases, each containing 24 jars, of peanut butter at Cleveland, Ohio. Examination showed that the product was short-weight.

LABEL, IN PART: "Buster Brand Peanut Butter Net Wt. 9 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: March 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

SPICES, FLAVORS, AND SEASONING MATERIALS

10871. Adulteration of celery seed. U. S. v. 286 Bags * * *. (F. D. C. No. 18369. Sample No. 8028-H.)

LIBEL FILED: November 13, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about April 10, 1945, from Hoboken, N. J., by the Otto Gerdau Co.

PRODUCT: 286 bags, each containing 130 pounds, of celery seed at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance, containing rodent excreta, insect fragments, and larvae.

DISPOSITION: January 14, 1946. The Otto Gerdau Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the portion of

the product contaminated with rodent excreta should be denatured for non-human food use, or destroyed, and that the remainder of the product should be fumigated and brought into compliance with the law, all under the supervision of the Federal Security Agency.

10872. Adulteration of chili powder. U. S. v. 24 Drums * * *. (F. D. C. No. 19232. Sample No. 43461-H.)

LIBEL FILED: February 21, 1946, District of Maryland.

ALLEGED SHIPMENT: On or about January 14, 1946, by the McClintock-Stern Co., from Los Angeles, Calif.

PRODUCT: 24 drums, each containing 250 pounds, of chili powder at Baltimore, Md.

LABEL, IN PART: "McCormick Chili Powder."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 22, 1946. The McClintock-Stern Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured for use other than human consumption, under the supervision of the Federal Security Agency.

10873. Adulteration of chili powder. U. S. v. 20 Drums * * *. (F. D. C. No. 19444. Sample No. 44083-H.)

LIBEL FILED: March 15, 1946, District of Maryland.

ALLEGED SHIPMENT: On or about February 27, 1946, by the McClintock-Stern Co., from Los Angeles, Calif.

PRODUCT: 20 drums of chili powder at Baltimore, Md.

LABEL, IN PART: "McCormick Chili Powder."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 22, 1946. The McClintock-Stern Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be denatured under the supervision of the Food and Drug Administration, so that it could not be disposed of for human consumption.

10874. Adulteration of chili powder. U. S. v. 10 Barrels * * *. (F. D. C. No. 17524. Sample No. 31599-H.)

LIBEL FILED: February 25, 1946, Southern District of Texas.

ALLEGED SHIPMENT: On or about January 31, 1946, by the McClintock-Stern Co., from Los Angeles, Calif.

PRODUCT: 10 250-pound barrels of chili powder at Houston, Tex.

LABEL, IN PART: "Claremont Mexican Type-S Chili Powder."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 29, 1947. The sole intervener having withdrawn its claim, judgment of condemnation was entered and the product was ordered destroyed.

10875. Adulteration of whole, fresh, ginger rhizomes. U. S. v. 255 Bags * * *. (F. D. C. No. 18772. Sample No. 46634-H.)

LIBEL FILED: January 3, 1946, Northern District of California.

ALLEGED SHIPMENT: On or about April 12, 1945, by Luis Loo Y Cia, from Matias Romero, Oaxaca, Mex.

PRODUCT: 255 89-pound bags of whole, fresh, ginger rhizomes at San Francisco, Calif.