

CHARGE: 403(a)—when shipped, the label vignette, depicting substantial quantities of mixed nuts other than peanuts, and very few peanuts, was false and misleading; and 403(d)—the container of the article was so made, formed and filled as to be misleading, since the article occupied only approximately 61 percent of the available can volume, and since the ends of the cans were indented to reduce the available volume of the can.

DISPOSITION: 3-16-65. Consent—claimed by Hoody Peanut Products Co., Portland, Oreg.; repacked and relabeled.

30681. Shelled walnuts and shelled Spanish peanuts. (F.D.C. No. 50713. S. Nos. 122-827/28 A, 123-642 A.)

QUANTITY: 43 25-lb. boxes of shelled nuts, 47 100-lb. bags of shelled Spanish peanuts, and 17 25-lb. cases of shelled nuts, at Minneapolis, Minn., in possession of Martin Nut Co.

SHIPPED: Between 2-10-64 and 8-12-64, from Somis, Calif., De Leon, Tex., and New York, N.Y.

LIBELED: 11-23-64, Dist. Minn.

CHARGE: 402(a)(3)—contained insects and insect-infested nuts (shelled nuts, 43-box lot), rodent urine (peanuts), insects, insect fragments, and rodent hairs (shelled nuts, 17-case lot), and decomposed nuts (43-box lot); and 402(a)(4)—held under insanitary conditions (peanuts).

DISPOSITION: 2-1-65. Default—destruction.

30682. Shelled walnuts. (F.D.C. No. 51744. S. No. 152-829 B.)

QUANTITY: 41 25-lb. cases at St. Paul, Minn.

SHIPPED: 11-4-65, from Visalia, Calif., by Associated Nut Growers.

LABEL IN PART: (Case) "California Shelled Walnuts * * * Packed by Associated Nut Growers, Visalia, Calif."

LIBELED: 12-2-65, Dist. Minn.

CHARGE: 402(a)(3)—contained insects; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 1-17-66. Default—denatured for use as animal feed.

30683. Shelled walnuts. (F.D.C. No. 52236. S. No. 151-905 B.)

QUANTITY: 137 25-lb. boxes, at Minneapolis, Minn.

SHIPPED: 5-10-65, from Portland, Oreg.

LIBELED: 3-4-66, Dist. Minn.

CHARGE: 402(a)(3)—contained insects, insect larvae, and insect parts while held for sale.

DISPOSITION: 4-18-66. Default—destruction.

30684. Shelled walnuts. (F.D.C. No. 51921. S. No. 69-342 B.)

QUANTITY: 37 27½-lb. ctns., at Boston, Mass., in possession of Port Terminals, Inc.

SHIPPED: 12-22-64, from Istanbul, Turkey.

LIBELED: 12-2-65, Dist. Mass.

CHARGE: 402(a)(3)—contained insects, insect excreta and webbing, and rancid nuts; and 402(a)(4)—held under insanitary conditions.