

On December 14, 1939, M. M. Levy, claimant, having admitted the allegations of the libel and the cases having been consolidated, judgment of condemnation was entered and the product was ordered released under bond for resorting and salvaging the good portions.

304. Adulteration of almonds in shell. U. S. v. 28 Bags of Almonds. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 1148. Sample No. 83346-D.)

On December 5, 1939, the United States attorney for the Western District of Washington filed a libel against 28 bags of almonds at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about October 14, 1939, from Oakland, Calif., by Rosenberg Bros. & Co.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance. The article was labeled in part: "Ensign Brand Calif. IXL Almonds."

On December 21, 1939, Rosenberg Bros. & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it should not be disposed of in violation of the law.

PEANUT BUTTER

305. Adulteration of peanut butter. U. S. v. 73 Cases and 42 Cans of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 701. Sample No. 70331-D.)

This product contained insect fragments, rodent hairs, and dirt.

On October 11, 1939, the United States attorney for the District of New Jersey filed a libel against 73 cases, each containing two 25-pound cans, and forty-two 25-pound cans of peanut butter at Trenton, N. J., alleging that the article had been shipped in interstate commerce within the period from on or about October 12, 1938, to on or about July 8, 1939, by Chase Sales Co. from Norfolk, Va.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Our Diamond Brand Peanut Butter * * * Old Reliable Peanut Company Suffolk, Va."

On November 13, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

306. Adulteration of peanut butter. U. S. v. 20 Cases, 22 Cases, 30 Cases, and 10 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 790. Sample No. 79188-D.)

This product contained insect fragments and dirt.

On October 25, 1939, the United States attorney for the Middle District of North Carolina filed a libel against 82 cases of peanut butter at Albemarle, N. C., alleging that the article had been shipped in interstate commerce on or about September 7, 1939, by Dixieland Products Co. from Columbus, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Dixieland Peanut Butter."

On January 6, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

307. Adulteration of peanut butter. U. S. v. 7 Cases, 12 Cases, 4 Cases, and 19 Cases of Peanut Butter. Default decrees of condemnation and destruction. (F. D. C. Nos. 801, 812. Sample Nos. 79200-D, 82961-D.)

Samples of this product were found to contain insect fragments and dirt.

On October 25, 1939, the United States attorney for the Middle District of North Carolina filed libels against 23 cases of various-sized jars of peanut butter at High Point, N. C., and 19 cases of peanut butter at Wilkesboro, N. C., alleging that the article had been shipped in interstate commerce on or about August 29 and September 7, 1939, by Dixieland Products Co. from Columbus, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Dixieland Peanut Butter."

On January 6, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

308. Adulteration of peanut butter. U. S. v. 16 Cases and 12 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 1078. Sample Nos. 70256-D, 70257-D.)

Examination showed that this product contained rodent hairs, insect fragments, and dirt.

On November 24, 1939, the United States attorney for the District of New Jersey filed a libel against 28 cases of peanut butter at Camden, N. J., alleging that the article had been shipped in interstate commerce on or about September 8, 1939, by Old Reliable Peanut Co. from Norfolk, Va.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. It was labeled in part: "Golden Tint Brand Peanut Butter."

On December 28, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

309. Adulteration of peanut butter. U. S. v. 34 Cases of Peanut Butter. Default decree of destruction. (F. D. C. No. 905. Sample No. 61151-D.)

This product was found to contain sand and grit.

On November 8, 1939, the United States attorney for the Eastern District of Louisiana filed a libel against 34 cases, each case containing 12 jars of peanut butter, at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about September 25, 1939, by Sessions Co., Inc., from Enterprise, Ala.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. It was labeled in part: "Dubon Brand Peanut Butter * * * Distributed By Dubon Company New Orleans, La."

On December 30, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

310. Adulteration and misbranding of peanut butter. U. S. v. 119, 104, 38, and 152 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 1159. Sample No. 79084-D.)

Examination showed that this product contained dirt and insect fragments. The 1-pound jars were also found to be short of the declared weight.

On or about December 19, 1939, the United States attorney for the Western District of North Carolina filed a libel against 413 cases of peanut butter at Charlotte, N. C., alleging that the article had been shipped in interstate commerce on or about October 10 and 27, 1939, by the Dillon Candy Co. from Jacksonville, Fla.; and charging that it was adulterated and misbranded.

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance.

The article in the 1-pound jars was alleged to be misbranded in that the statement "Net One Lb." was false and misleading since it was incorrect. The article in the 1-pound jars was alleged to be misbranded further in that it was in package form and did not bear an accurate statement of the quantity of the contents.

On January 26, 1940, no claimant having appeared, judgment of condemnation and forfeiture was entered and the product was ordered destroyed.

SACCHARINE PRODUCTS

CANDY

Nos. 311 to 316 of this publication report the seizure and disposition of candy and confections that were in interstate commerce at the time of examination and were found to be insect-infested at that time.

311. Adulteration of candy. U. S. v. 6½ Boxes and 3 Boxes of Candy. Default decrees of condemnation and destruction. (F. D. C. Nos. 737, 757. Sample Nos. 58071-D, 58072-D.)

On October 18, 1939, the United States attorney for the District of Arizona filed libels against 9½ boxes of candy at Bisbee, Ariz., alleging that the article had been shipped in interstate commerce on or about May 22 and July 18, 1939, by the Euclid Candy Co. from San Francisco, Calif.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. It was labeled in part: "Euclid's Chok Full O'Almonds Milk Chocolate"; or "Love Nest."

On January 8 and 15, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

312. Adulteration of candy. U. S. v. 6 Boxes of Candy. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 751. Sample No. 58066-D.)

On or about October 23, 1939, the United States attorney for the District of Arizona filed a libel against 6 boxes, each containing 24 bars of candy, at Bisbee, Ariz., alleging that the article had been shipped in interstate commerce on or about May 8, 1939, by Golden Nugget Sweets, Ltd., from San Francisco,