

483. Adulteration of peanut butter. U. S. v. 9 Cases and 35 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 1236. Sample No. 87299-D.)

This product contained sand and clay.

On December 28, 1939, the United States attorney for the Western District of South Carolina filed a libel against 44 cases of peanut butter at Greenville, S. C., alleging that the article had been shipped in interstate commerce on or about November 21, 1939, by the Newton Products Co. from Atlanta, Ga.; and charging that it was adulterated in that it contained sand and clay, and was otherwise unfit for food. It was labeled in part: "Jolly Good Peanut Butter."

On February 7, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

484. Adulteration of peanut butter. U. S. v. 164 Cartons and 75 Cases of Peanut Butter. Default decrees of condemnation and destruction. (F. D. C. Nos. 1031, 1077. Sample Nos. 47774-D, 47775-D, 47776-D, 78534-D.)

Samples taken from one shipment of this product were found to contain dirt; those taken from the other shipment were found to contain dirt, insect fragments, and rodent hairs.

On November 20 and 24, 1939, the United States attorney for the Southern District of West Virginia filed libels against 164 cartons of peanut butter at Bluefield, W. Va., and 75 cases of peanut butter at Mullens, W. Va., alleging that the article had been shipped in interstate commerce on or about September 18 and October 2, 1939, by Old Reliable Peanut Co. from Suffolk, Va.; and charging that it was adulterated in that it contained filthy, putrid, and decomposed substances, and was otherwise unfit for food. It was labeled in part: "Golden Tint Brand Peanut Butter."

On January 27, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

485. Adulteration of peanut butter. U. S. v. 134 Cases, 49 Cases, and 85 Cases of Peanut Butter (and 5 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. D. C. Nos. 1287, 1293, 1294, 1383, 1432, 1474. Sample Nos. 61455-D, 61456-D, 61457-D, 61641-D, 61642-D, 61643-D, 61795-D, 61796-D, 62001-D, 62500-D, 64956-D.)

This product contained sand and dirt. Insect fragments and excreta, rodent excreta, and rodent hairs were also found in samples taken from certain lots.

Between January 5 and February 15, 1940, the United States attorneys for the Southern District of Mississippi, Western and Eastern Districts of Louisiana, and the Middle District of Tennessee filed libels against the following lots of peanut butter: 268 cases at Gulfport, Miss.; 173 cases at Shreveport, La.; 225 cases at New Orleans, La.; and 199 cases at Nashville, Tenn. (the libel filed in the Middle District of Tennessee was amended on February 21, 1940), alleging that the article had been shipped in interstate commerce within the period from on or about September 19 to on or about November 22, 1939, by J. D. Johnston, Jr., Co. from Brundidge, Ala.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: (Jars) "Johnston's * * * Peanut Butter * * * Packed by J. D. Johnston Jr., Co.;" or "Sunrayed Brand Peanut Butter * * * Packed by Southern Foods Brundidge, Ala."

Between February 21 and March 18, 1940, no claimant having appeared, judgments of condemnation were entered and the product, with the exception of one lot, was ordered destroyed. The product seized at Nashville, Tenn., was ordered sold as feed for animals or poultry.

OLIVE OIL

486. Adulteration and misbranding of olive oil. U. S. v. 10 Cases of Olive Oil. Default decree of condemnation and destruction. (F. D. C. No. 1284. Sample No. 83457-D.)

This product was labeled Italian olive oil but contained 50 percent or more of cottonseed oil, and it also was short of the declared volume.

On January 5, 1940, the United States attorney for the District of Oregon filed a libel against 10 cases of olive oil at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about December 13, 1939, by S. Trusso from Oakland, Calif.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that a substance, cottonseed oil, had been substituted in part therefor; in that inferiority had been concealed;