

1181. Adulteration of peanuts. U. S. v. 154 Cases of Peanuts. Default decree of condemnation and destruction. (F. D. C. No. 1964. Sample No. 13031-E.)

Examination showed that these peanuts were in part dirty.

On May 14, 1940, the United States attorney for the Western District of Washington filed a libel against 154 cases (bags) each containing 120 pounds of peanuts at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about March 16, 1940, by Hou-Tex Peanut Co. from Houston, Tex.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On September 11, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

PEANUT BUTTER

1182. Adulteration of peanut butter. U. S. v. 279 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 2343. Sample No. 15461-E.)

This product contained dirt.

On July 13, 1940, the United States attorney for the Western District of Tennessee filed a libel against 279 cases of peanut butter at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about June 6 and 15, 1940, by the J. D. Johnston, Jr., Co. from Brundidge, Ala.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, namely, dirt, which rendered it unfit for food. The article was labeled in part: "Johnston's Brand Peanut Butter."

On August 5, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1183. Adulteration of peanut butter. U. S. v. 119 Cartons of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 2769. Sample Nos. 36036-E, 36313-E.)

This product contained dirt and rodent excreta.

On September 10, 1940, the United States attorney for the District of Rhode Island filed a libel against 119 cartons, each containing 24 jars of peanut butter at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about August 3, 1940, by A. W. Sisk & Son 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: (Jars) "Melton Pure Peanut Butter Distributed By Brownell & Field Co. Providence."

On October 2, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1184. Adulteration of peanut butter. U. S. v. 10 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 1492. Sample No. 77185-D.)

This product was made from peanuts which were in whole or in part, dirty.

On February 21, 1940, the United States attorney for the Eastern District of North Carolina filed a libel against 10 cases of peanut butter at Ahoskie, N. C., alleging that the article had been shipped in interstate commerce on or about January 29, 1940, by Southgate Foods 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: (Jars) "Lynnhaven Brand Peanut Butter."

On August 24, 1940, Southgate Foods, claimant, having withdrawn its answer, judgment of condemnation was entered and the product was ordered destroyed.

1185. Misbranding of peanut butter. U. S. v. 57 and 111 Cases of Peanut Butter. Default decrees of condemnation. Portion of product destroyed; remainder ordered delivered to a charitable institution. (F. D. C. Nos. 1864, 1865. Sample Nos. 646-E, 654-E.)

This product was short weight.

On April 26, 1940, the United States attorneys for the Eastern District of South Carolina and the Western District of South Carolina filed libels against 57 cases of peanut butter at Columbia and 111 cases at Greenville, S. C., alleging that the article had been shipped in interstate commerce within the period from on or about February 25 to March 13, 1940, by the Dillon Candy Co. from Jacksonville, Fla.; and charging that it was misbranded. The article was labeled in part: (Jars) "Best-Ever Brand [or "Fresh Maid"] Peanut Butter."

The article was alleged to be misbranded in that the statements "Net One Lb.," "Net 2 Lbs.," or "Net Two Lbs.," borne on the labels, were false and misleading