

On April 23, 1941, the United States attorney for the District of Colorado filed a libel against 4 packages and 2 cases of black walnut meats at Denver, Colo., consigned by the Benton County Produce Co., alleging that the article had been shipped in interstate commerce on or about February 26, 1941, from Rogers, Ark.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: "28 Lb. Net" or "5# Blk Walnuts" or "25 Granules."

On June 13, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2281. Adulteration of black walnut meats. U. S. v. 15 Cartons of Black Walnut Meats. Default decree of condemnation and destruction. (F. D. C. No. 4520. Sample No. 43347-E.)

On April 28, 1941, the United States attorney for the Western District of Missouri filed a libel against 15 cartons, each containing 25 pounds, of walnut meats at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about February 17, 1941, by the Benton County Produce Co. from Rogers, Ark.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance.

On June 30, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

PEANUT BUTTER

2282. Adulteration of peanut butter. U. S. v. 21 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 4798. Sample No. 37918-E.)

Examination showed that this product contained dirt and rodent hair fragments.

On May 21, 1941, the United States attorney for the Western District of South Carolina filed a libel against 21 cases, each containing 24 jars, of peanut butter at Greenville, S. C., alleging that the article had been shipped on or about April 16, 1941, by Crown Food Products Co. from Atlanta, 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: (Jars) "Jolly Good Peanut Butter * * * 8 oz."

On June 30, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2283. Adulteration and misbranding of peanut butter. U. S. v. 36 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 4861. Sample No. 22278-E.)

Samples of this product were found to contain rodent hair, insect fragments, and dirt, and to be short of the declared weight.

On June 4, 1941, the United States attorney for the District of Nevada filed a libel against 36 cases of peanut butter at Reno, Nev., alleging that the article had been shipped in interstate commerce on or about February 27, 1940, by Lang & Stroh Co. from San Francisco, Calif.; and charging that it was adulterated and misbranded. It was labeled in part: "1 Lb. 8 Oz. Net Jo-Jo Brand Peanut Butter * * * Producers Peanut Co., Inc., Suffolk, Va."

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

It was alleged to be misbranded in that the statement "1 Lb. 8 Oz. Net" was false and misleading since it was incorrect; and in that it was in package form and did not bear a label containing an accurate statement of the quantity of the contents.

On July 10, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2284. Misbranding of peanut butter. U. S. v. 18 Cases of Peanut Butter. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 4890. Sample No. 37657-E.)

This product was short of the declared weight.

On June 6, 1941, the United States attorney for the Southern District of Georgia filed a libel against 18 cases of peanut butter at Dublin, Ga., alleging that the article had been shipped in interstate commerce on or about April 7, 1941, by Jaxon Foods, Inc., from Jacksonville, Fla.; and charging that it was misbranded. The article was labeled in part: (Jars) "Jaxon Brand Net Wt. 2 Lbs. Peanut Butter."

The article was alleged to be misbranded in that the statement "Net Wt. 2 Lbs." was false and misleading as applied to an article that was short weight; and in that it was in package form and did not bear a label containing an accurate statement of the quantity of the contents.

On July 12, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

VEGETABLE OILS

2285. Adulteration and misbranding of olive oil. U. S. v. 30 Cases of Olive Oil. Default decree of condemnation and destruction. (F. D. C. No. 4910. Sample No. 40474-E.)

This product consisted essentially of cottonseed oil, containing little, if any, olive oil.

On June 11, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 30 cases of olive oil at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about May 29, 1941, by P. J. Devine from Wilmington, Del.; and charging that it was adulterated and misbranded. The article was labeled in part: "Virgin Olive Oil Superfine Brand."

It was alleged to be adulterated in that an article consisting essentially of cottonseed oil, containing little, if any, olive oil, had been substituted wholly or in part for olive oil, which it purported to be.

The article was alleged to be misbranded in that the following statements were false and misleading as applied to an article consisting essentially of cottonseed oil, containing little, if any, olive oil: (Can) "Italian Product Imported Virgin Olive Oil * * * Lucca Italy"; "This olive oil is guaranteed to be absolutely pure under any chemical analysis Recommended for table use and medicinal purposes [and similar statements in Italian]." It was alleged to be misbranded further in that it was offered for sale under the name of another food.

On June 28, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2286. Adulteration and misbranding of olive oil. U. S. v. Certain Quantities [58 Cans] of Olive Oil. Default decree of condemnation and destruction. (F. D. C. No. 3511. Sample Nos. 46381-E, 46382-E, 46383-E.)

This product was represented to be pure olive oil whereas it was an imitation olive oil consisting of artificially flavored and colored cottonseed oil containing little or no olive oil. It not only was falsely represented to be pure olive oil; but its label did not bear the name and address of the manufacturer, packer, or distributor.

On December 12, 1940, the United States attorney for the Middle District of Pennsylvania filed a libel against 58 cans of olive oil at Wilkes-Barre, Pa., alleging that the article had been shipped in interstate commerce on or about November 27, 1940, by Ruggiero Marino from New York, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part variously: "One Gallon Italian Produce Sublime Olive Oil"; "Roberta Brand Pure Olive Oil"; or "Pulcella Brand Guaranteed Pure Olive Oil."

The article was alleged to be adulterated in that artificially flavored and colored cottonseed oil containing little or no olive oil had been substituted wholly or in part for olive oil; in that inferiority had been concealed by the addition of artificial flavor or color; and in that artificial flavoring or coloring had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

It was alleged to be misbranded in that the following statements and designs were false and misleading since they were incorrect: (Sublime Olive Oil) "Pure Imported Olive Oil * * * Italian Produce Sublime Olive Oil Imported Acoma Fo Lucca * * * This olive oil is guaranteed to be absolutely pure under any chemical analysis Recommended for table use and medicinal purposes [similar statements in Italian]"; (Roberta brand) "Imported from Italy * * * Pure Olive Oil Imported from Lucca Toscana Italy [similar statements in Italian and design of olive branches and olives] This Olive Oil is guaranteed to be absolutely pure under chemical analysis [similar statement in several foreign languages]"; (Pulcella brand) "Imported Pure Olive Oil * * * Guaranteed Pure Olive Oil Extra Fine Imported Lucca Italy [similar statements in Italian and design of olive branches and olives and of a woman in foreign costume]. We guarantee our olive oil to be absolutely pure under any chemical