

5554. Misbranding of peanut butter. U. S. v. 25 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 10325. Sample No. 20643-F.)

On July 26, 1943, the United States attorney for the District of Massachusetts filed a libel against 25 cases, each containing 24 1-pound jars, of peanut butter at Malden, Mass., alleging that the article had been shipped in interstate commerce on or about April 14, 1943, by the Cream O Specialty Co., from Brooklyn, N. Y.; and charging that it was misbranded. The article was labeled in part: (Jars) "President Peanut Butter Made from Roasted Peanuts Salt added Vitamin-Rich President Products, Inc., West New York New Jersey Net Wt. 1 Lb."

The article was alleged to be misbranded (1) in that the statement "Vitamin-Rich" was false and misleading since peanut butter is not a rich source of vitamin; (2) in that the statement "Net Wt. 1 Lb." was false and misleading as applied to an article short in weight; and (3) in that it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

On August 30, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. Destruction was effected by turning the product over to a charitable institution for the use of the inmates.

5555. Adulteration of shredded coconut. U. S. v. 24 Barrels and 633 Cases of Shredded Coconut. Consent decree of condemnation and destruction. (F. D. C. No. 10162. Sample Nos. 3719-F, 3721-F.)

On July 8, 1943, the United States attorney for the District of Kansas filed a libel against 24 barrels (about 6,165 pounds) and 633 cases (each containing 48 cellophane packages) of shredded coconut at Hutchinson, Kans., alleging that the article had been shipped in interstate commerce within the period from on or about December 21, 1942, to February 16, 1943, by Pure Food Products, Inc., from Dallas, Tex.; and charging that it was adulterated in that it consisted in whole or in part of filthy substances (24 barrels), insects, insect fragments, and rancid coconut, (633 cases) insects and insect fragments. The article was labeled in part: (Barrels) "Monsantu Brand Fancy Shredded and Macaroon Coconut," (cases) "Fancy Shredded Coconut," and (packages) "Pure Food Brand Shredded Coconut."

On September 18, 1943, J. S. Dillon & Sons Stores Co., Hutchinson, Kans., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered destroyed.

5556. Adulteration of Nut Krunch Topping and Nut Krunch. U. S. v. 13 Cartons of Nut Krunch Topping and 7 Cartons of Nut Krunch. Default decrees of condemnation. Products ordered destroyed or disposed of as animal feed. (F. D. C. Nos. 10670, 11009. Sample Nos. 34224-F, 34296-F.)

On September 13 and November 3, 1943, the United States attorneys for the Western District of Pennsylvania and the Northern District of Ohio filed libels against 13 cartons of Nut Krunch Topping at Pittsburgh, Pa., and 7 cartons of Nut Krunch at Youngstown, Ohio, alleging that the articles had been shipped in interstate commerce on or about March 22 and April 1, 1943, by I. Kalfus Co., Inc., from New York, N. Y.; and charging that they were adulterated in that they consisted in whole or in part of filthy substances by reason of the presence of filth, such as insects, insect excreta, larvae, cast skins, webbing, and cocoons. The Nut Krunch was labeled in part: "Kalco Brand Nut Krunch." The topping was unlabeled.

On September 23, 1943, and February 3, 1944, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed, the decree in the case involving the 7 cartons of Nut Krunch providing that it might be reprocessed and disposed of as animal feed.

OILS AND FATS

5557. Adulteration and misbranding of olive oil. U. S. v. Sam Silverstein (Sage Chemical Co.). Plea of guilty. Fined \$1 and sentenced to 3 months in jail on count 1; sentence on count 2 suspended and defendant placed on probation for 1 year. (F. D. C. No. 5583. Sample No. 50804-E.)

On April 3, 1943, the United States attorney for the Eastern District of New York filed an information against Sam Silverstein, trading as Sage Chemical Co., Brooklyn, N. Y., alleging shipment on or about March 10, 1943, from the State of New York into the State of Maryland of a quantity of olive oil that was adulterated and misbranded. The article was labeled in part: "Golden