

**6371. Adulteration of peanuts. U. S. v. 45 Cartons and 45 Cartons of Peanuts. Decree of condemnation. Product ordered destroyed. (F. D. C. No. 10507. Sample Nos. 43446-F, 43447-F.)**

**LIBEL FILED:** On or about September 23, 1943, District of Kansas.

**ALLEGED SHIPMENT:** On or about July 9, 1943, by the Novelty Peanut Co., from Dallas, Tex.

**PRODUCT:** 45 cartons, each containing 16 cellophane envelopes, of peanuts, and 45 cartons, each containing 16 waxed paper bags, of peanuts, at Emporia, Kans.

**LABEL, IN PART:** (Envelopes) "Believe It or Not Peanuts"; (bags) "Mammy's Peanuts Barbecued."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of filthy substances by reason of the presence of larvae, insect fragments, insect excreta, mouse excreta, and rodent hairs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** September 18, 1943. The consignee having admitted the adulteration as alleged in the libel, judgment of condemnation was entered and the product was ordered destroyed.

**6372. Adulteration of shelled peanuts. U. S. v. 8 Bags and 5 Bags of Peanuts. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 11802. Sample Nos. 48935-F, 48936-F.)**

**LIBEL FILED:** February 15, 1944, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about December 13, 1943, from Suffolk, Va.

**PRODUCT:** Peanuts: 8 bags, each containing approximately 114 pounds, and 5 bags, each containing approximately 110 pounds, at Toledo, Ohio, in possession of the Bassett Nut Co.

The peanuts were stored under insanitary conditions after shipment. The bags were rodent-gnawed and two rodent nests were found in one portion. Examination of samples showed that the product was contaminated with rodent excreta and urine.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** March 14, 1944. Sam Bassett, doing business as the Bassett Nut Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration. The product was subsequently cleaned in order to eliminate the unfit material.

**6373. Adulteration of shelled peanuts. U. S. v. 261 Bags of Shelled Peanuts. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 11736. Sample No. 30398-F.)**

**LIBEL FILED:** February 1, 1944, Northern District of California.  
from Suffolk, Va.

**ALLEGED SHIPMENT:** On or about January 29, 1943, by the Suffolk Peanut Co.,

**PRODUCT:** 261 bags, each containing 125 pounds, of shelled peanuts at San Francisco, Calif.

**LABEL, IN PART:** "Extra Large Virginia Supeco Brand Shelled Peanuts."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of worms, webbing, and insect excreta.

**DISPOSITION:** February 17, 1944. The L. Demartini Co., San Francisco, Calif., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The unfit portion was subsequently segregated and destroyed.