

7854. Adulteration of shelled cashew nuts. U. S. v. 24 Cases of Shelled Cashew Nuts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14828. Sample Nos. 90572-F, 90575-F.)

LIBEL FILED: December 21, 1944, Southern District of Ohio.

ALLEGED SHIPMENT: On or about October 23, 1944, by the William A. Camp Co., Inc., New York, N. Y.

PRODUCT: 24 cases, each containing 2 25-pound cans, of shelled cashew nuts at Cincinnati, Ohio.

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 weevils, larvae, and insect-infested and dirty nuts.

DISPOSITION: January 29, 1945. The William A. Camp Co., Inc., claimant, having admitted the allegations of the libel, 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.

7855. Adulteration of desiccated coconut. U. S. v. 9 Bags of Desiccated Coconut. Consent decree of condemnation. Product ordered delivered to the National Zoological Park. (F. D. C. No. 14339. Sample No. 92829-F.)

LIBEL FILED: November 1, 1944, District of Columbia.

ALLEGED SHIPMENT: On or about May 24, 1944, by the Ferris-Noeth-Stern Co., division of Wood and Selick, from Baltimore, Md.

PRODUCT: 9 bags, each containing 100 pounds, of desiccated coconut at Washington, D. C.

LABEL, IN PART: "Vavasseur's Red V * * * Desiccated Coconut Manufactured by Florida Sales Corp. Miami, Florida Prepared Coconut."

VIOLATION CHARGED: Adulteration, Section 402 (b) (2), sucrose had been substituted in part for coconut, which the article was represented to be.

DISPOSITION: April 5, 1945. The sole intervener having withdrawn its claim and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered delivered to the National Zoological Park, for use as animal feed.

7856. Adulteration of filberts in shell. U. S. v. 709 Bags of Filberts in Shell. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15185. Sample No. 29024-H.)

LIBEL FILED: February 2, 1945, Northern District of California.

ALLEGED SHIPMENT: On or about October 18, 1944, by the Oregon Nut Shellers, from Hillsboro, Oreg.

PRODUCT: 709 bags, containing 47,664 pounds, of filberts in shell at San Francisco, Calif.

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, and it was otherwise unfit for food by reason of the presence of empty shells.

DISPOSITION: February 13, 1945. The L. DeMartini Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into conformity with the law, under the supervision of the Food and Drug Administration.

7857. Adulteration of filberts. U. S. v. 44 Bags of Filberts. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 14799. Sample No. 97708-F.)

LIBEL FILED: December 19, 1944, District of Minnesota.

ALLEGED SHIPMENT: On or about March 10, 1944, from San Francisco, Calif.

PRODUCT: 44 100-pound bags of filberts at Minneapolis, Minn., in the possession of the Kedney Warehouse. This product had been stored, after shipment, under insanitary conditions. The bags were rodent-gnawed, and rodent pellets were observed on them. Examination showed that the product contained rodent hairs, rodent excreta, and rodent-gnawed kernels.

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 may have become contaminated with filth.

DISPOSITION: February 6, 1945. The Garrott Candy Co., St. Paul, Minn., claimant, having admitted the material allegations of the libel, 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.

7858. Adulteration of shelled runner peanuts. U. S. v. 150 Bags of Shelled Runner Peanuts. Tried to the court. Verdict for the Government. Judgment of condemnation. Product ordered released under bond. (F. D. C. No. 12319. Sample No. 79364-F.)

LIBEL FILED: May 10, 1944, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about February 16, 1944, by Henderson & Helms, Inc., from Brundidge, Ala.

PRODUCT: 150 bags, each containing 110 pounds, of shelled runner peanuts at Norfolk, Va.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of dirty, decomposed, and moldy peanuts.

DISPOSITION: The Old Dominion Peanut Corporation, claimant, having filed an answer denying that the product was adulterated, and averring that it was not a food within the contemplation of the law, the matter was tried before the court on September 14, 1944. At the conclusion of the trial, on September 19, 1944, the court found for the Government and, on November 20, 1944, a decree was entered condemning the product and ordering its release under bond to the claimant, to be brought into compliance with the law under the supervision of the Food and Drug Administration. The product was crushed into oil for use of the oil and the pressed cake for non-food purposes.

7859. Adulteration of peanuts. U. S. v. 100 Sacks of Peanuts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14125. Sample No. 72980-F.)

LIBEL FILED: October 25, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about March 31, 1944, by the Suffolk Peanut Co., from Suffolk, Va.

PRODUCT: 100 125-pound sacks of peanuts at San Francisco, Calif.

LABEL, IN PART: "No. 1 Virginia Supeco Brand Shelled Peanuts."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of filthy and decomposed substances by reason of the presence of insects, worms, and moldy and decomposed peanuts.

DISPOSITION: December 12, 1944. E. F. Lane & Son, 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 product was denatured and pressed and the oil disposed of as soap grease and the cake as animal feed.

7860. Adulteration of shelled peanuts. U. S. v. 38 Bags of Shelled Peanuts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14934. Sample No. 96964-F.)

LIBEL FILED: January 3, 1944, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about July 5, 1944, by the Hartford Peanut Co., from Hartford, Ala.

PRODUCT: 38 120-pound bags of shelled peanuts at New Orleans, La.

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 insect-infested, dirty, and decomposed peanuts.

DISPOSITION: February 5, 1945. The Hartford Peanut Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for denaturing for use as animal feed or for rendering into oils for use in the manufacture of soap, under the supervision of the Food and Drug Administration.

7861. Adulteration of peanuts. U. S. v. 43 Bags of Peanuts. Default decree of condemnation and destruction. (F. D. C. No. 14989. Sample No. 75999-F.)

LIBEL FILED: January 15, 1945, Western District of Pennsylvania.