

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.

ALLEGED SHIPMENT: On or about September 7 and 15, 1943, from Cleveland, Ohio.
PRODUCT: 43 bags, each containing approximately 120 pounds, of peanuts at Pittsburgh, Pa., in possession of the Hardie Brothers Company. The article was stored under insanitary conditions after shipment. Rodent pellets and urine stains were observed on the bags. Examination showed that the article contained rodent hairs, rodent hair fragments, and insect-infested peanuts.
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 7, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7862. Adulteration of peanuts in shell. U. S. v. 23 Bags of Peanuts. Default decree of condemnation. Product ordered delivered to a Federal institution, for use as animal feed. (F. D. C. No. 14399. Sample No. 83026-F.)

LIBEL FILED: On or about November 9, 1944, District of Connecticut.
ALLEGED SHIPMENT: On or about April 14, 1944, by the Parker Peanut Co., from Suffolk, Va.
PRODUCT: 23 bags, each containing approximately 88 pounds, of peanuts at Bridgeport, Conn.
LABEL, IN PART: (Bags) "Parker Packet Jumbo Hand Picked Virginia 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 insect-infested and rodent-gnawed peanuts.
DISPOSITION: On or about December 27, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal institution, for use as hog feed.

7863. Adulteration of shelled peanuts. U. S. v. 160 Bags and 37 Bags of Spanish Shelled Peanuts and 12 Bags of Virginia Shelled Peanuts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 14697 to 14699, incl. Sample Nos. 67563-F, 68459-F, 68460-F.)

LIBELS FILED: December 2, 1944, Southern District of Ohio.
ALLEGED SHIPMENT: Between the approximate dates of November 11 and December 1, 1943, from Ashburn, Ga., Edenton, N. C., and Leesburg, Ga.
PRODUCT: 197 bags, each containing approximately 125 pounds, and 12 bags, each containing approximately 115 pounds, of peanuts at Cincinnati, Ohio, in the possession of Cincinnati Terminal Warehouses, Inc. This product had been stored under insanitary conditions after shipment. The bags were rodent-gnawed, and rodent pellets and urine stains were observed on them. Examination showed that the product contained rodent hair fragments and urine, and that some portions also contained rodent excreta fragments.
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: December 30, 1944. Cincinnati Terminal Warehouses, Inc., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be sorted and brought into compliance with the law, under the supervision of the Food and Drug Administration, the unfit portion to be converted into animal feed.

7864. Adulteration of peanuts. U. S. v. 12 Cartons of Peanuts. Default decree of condemnation and destruction. (F. D. C. No. 14036. Sample No. 63924-F.)

LIBEL FILED: October 16, 1944, Southern District of Florida.
ALLEGED SHIPMENT: On or about August 11, 1944, by the Braun Importing Co., Inc., from New York, N. Y.
PRODUCT: 12 30-pound cartons of peanuts at Jacksonville, Fla.
LABEL, IN PART: "Marco Polo Sliced 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 weevils, larvae, and insect fragments.
DISPOSITION: December 12, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.