

DISPOSITION: February 8, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution to be denatured for use as hog feed.

9380. Misbranding of candy-coated peanuts. U. S. v. 288 Boxes and 336 Boxes of Candy-coated Peanuts. Decree ordering release of the product under bond. (F. D. C. No. 18739. Sample Nos. 37946-H, 37947-H.)

LIBEL FILED: January 8, 1946, Eastern District of Washington.

ALLEGED SHIPMENT: On or about November 5 and 13, 1945, by the Snax Products Co., from Los Angeles, Calif.

PRODUCT: 288 boxes and 336 boxes, each containing 12 cellophane bags, of candy-coated peanuts at Spokane, Wash. Examination showed that the product was short-weight.

LABEL, IN PART: "Candy-Coated Peanuts 10¢ Wt. 2 Ozs.," or "Snax Boston Beans Candy Coated Peanuts Net Weight 2 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: March 15, 1946. A. Provisor, owner of the Snax Products Co., claimant, having admitted the allegations of the libel, judgment was entered ordering the release of the product under bond, conditioned that the packages of peanuts be broken open, and that the contents be sold in bulk, or repacked, under the supervision of the Food and Drug Administration.

9381. Adulteration of chocolate-coated peanuts. U. S. v. 5 Cartons of Chocolate Coated Peanuts (and 1 other seizure action against chocolate-coated peanuts). Default decrees of condemnation and destruction. (F. D. C. Nos. 19016, 19093. Sample Nos. 8296-H, 12320-H, 12754-H.)

LIBELS FILED: January 28 and February 6, 1946, District of Massachusetts and Northern District of New York.

ALLEGED SHIPMENT: On or about October 13 and December 11, 1945, by the Toledo Candy Co., from Toledo, Ohio.

PRODUCT: 5 30-pound cartons of chocolate-dipped peanuts at Binghamton, N. Y., and 18 30-pound boxes of the same product at Worcester, Mass.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs in the New York lot and rodent hairs, larvae, and insect fragments in the Worcester lot.

DISPOSITION: March 6 and 25, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

9382. Misbranding of shelled pecans. U. S. v. Southland Pecan Co. Plea of nolo contendere. Fine, \$1,500. (F. D. C. No. 17772. Sample Nos. 63959-F, 606-H, 5921-H, 5923-H, 12921-H.)

INFORMATION FILED: January 25, 1946, Middle District of Georgia, against the Southland Pecan Co., a corporation, Columbus, Ga.

ALLEGED SHIPMENT: Between the approximate dates of December 12 and 30, 1944, from the State of Georgia into the States of South Carolina, New York, Indiana, and Florida.

LABEL, IN PART: "Gold Medal Pecans Net Wt 1/12 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the bags contained less than the declared weight.

DISPOSITION: February 7, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$300 on each of 5 counts, a total fine of \$1,500.

9383. Adulteration of pecans. U. S. v. 3 Bags of Pecans. Default decree of condemnation. Product ordered destroyed or delivered to a charitable institution. (F. D. C. No. 18854. Sample No. 14459-H.)

LIBEL FILED: January 15, 1946, Northern District of Ohio.

ALLEGED SHIPMENT: On or about November 8, 1945, by the Southeastern Pecan Co., from Waycross, Ga.

PRODUCT: 3 bags, each containing 30 3-pound packages, of pecans at Cleveland, Ohio.

LABEL, IN PART: "Sears Roebuck & Co. Fancy Georgia Pecans."