

ALLEGED SHIPMENT: On or about May 17, 1946, from the State of Ohio into the State of Kentucky.

LABEL, IN PART: "Rayo Peanut Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insect fragments and rodent excreta fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 13, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$300.

OILS AND FATS*

11822. Adulteration and misbranding of olive oil. U. S. v. Frank Scappatura. Plea of nolo contendere. Defendant fined \$1,000 and placed on probation for 1 year. (F. D. C. No. 21443. Sample No. 59298-H.)

INFORMATION FILED: January 29, 1947, Northern District of California, against Frank Scappatura, San Francisco, Calif.

ALLEGED SHIPMENT: On or about April 20, 1946, from the State of California into the State of Oregon.

LABEL, IN PART: "Frank Scappatura * * * Olive Oil To Tony Gatto * * * Portland, Oregon."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), cottonseed oil had been substituted in whole or in part for olive oil, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "Olive Oil" was false and misleading.

DISPOSITION: March 31, 1947. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$1,000 and placed him on probation for a period of 1 year.

11823. Adulteration of wine dressing. U. S. v. 16 Cases * * *. (F. D. C. No. 20034. Sample No. 70440-H.)

LIBEL FILED: On or about June 12, 1946, Western District of Missouri.

ALLEGED SHIPMENT: On or about April 20, 1946, by the Barra Co., from Los Angeles, Calif.

PRODUCT: 16 cases, each containing 24 1-pint bottles, of wine dressing at Kansas City, Mo. Examination showed that the product was undergoing fermentation.

LABEL, IN PART: "Barra's Burgundy Wine Dressing."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: August 15, 1946. Default decree of destruction.

11824. Adulteration and misbranding of lard. U. S. v. 4 Barrels, etc. (F. D. C. No. 20764. Sample No. 1665-H.)

LIBEL FILED: August 27, 1946, Eastern District of North Carolina.

ALLEGED SHIPMENT: On or about July 19, 1946, by Rosario Faraome, of St. Clair, Pa., from Shamokin, Pa.

PRODUCT: 4 400-pound barrels and 143 50-pound cans of lard at Raleigh, N. C.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of lard and beef tallow had been substituted in whole or in part for lard, which the article was represented to be.

Misbranding, Section 403 (b), the article was a mixture of lard and tallow and was offered for sale as lard; Section 403 (e) (1), it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents in terms of weight or measure; and, Section 403 (i) (2), it was fabricated from two or more ingredients, lard

*See also No. 11825.