

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of moldy, rancid, and decomposed brazil nuts, and was otherwise unfit for food by reason of the presence of empty shells.

DISPOSITION: February 13, 1947. The Red Line Commercial Co., 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 by destruction of the unfit nuts, under the supervision of the Federal Security Agency.

11985. Adulteration of brazil nuts. U. S. v. 12 Bags * * *. (F. D. C. No. 21861. Sample No. 17067-H.)

LIBEL FILED: December 23, 1946, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 1, 1946, by the William A. Camp Co., Inc., from New York, N. Y.

PRODUCT: 12 100-pound bags of brazil nuts at Chicago, Ill.

LABEL, IN PART: "Tropical Brand New Crop Large Washed Brazils."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of moldy, rancid, and decomposed brazil nuts, and was otherwise unfit for food by reason of the presence of empty shells.

DISPOSITION: March 14, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution or destroyed. It was delivered to an institution, to be used as animal feed.

11986. Adulteration of peanuts. U. S. v. 12 Bags * * *. (F. D. C. No. 21817. Sample No. 72634-H.)

LIBEL FILED: December 3, 1946, District of Utah.

ALLEGED SHIPMENT: On or about October 30, 1945, by the Consumers Peanut Co., from Carbon, Tex.

PRODUCT: 12 122-pound bags of peanuts at Provo, Utah.

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 larvae, insect excreta, and webbing.

DISPOSITION: August 1, 1947. Default decree entered. The product was ordered disposed of for use as animal feed.

11987. Adulteration of shelled peanuts. U. S. v. 204 Bags * * *. (F. D. C. No. 21845. Sample No. 48159-H.)

LIBEL FILED: December 10, 1946, District of Utah.

ALLEGED SHIPMENT: Between the approximate dates of January 17 and March 29, 1946, from Dublin, Tex., Portales, N. Mex., and Durant, Okla.

PRODUCT: 204 115-pound bags of shelled peanuts at Salt Lake City, Utah, in possession of the Cornwall Warehouse Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent excreta and rodent hairs.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article 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 16, 1946. The Sweet Candy Company, Salt Lake City, Utah, 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 disposed of in compliance with the law, under the supervision of the Food and Drug Administration. The product was reconditioned by removal and destruction of all contaminated peanuts.

11988. Adulteration of pecans. U. S. v. 75 Bags * * * (and 1 other seizure action). (F. D. C. Nos. 21580, 22337. Sample Nos. 8933-H, 39516-H.)

LIBELS FILED: October 30 and December 30, 1946, Southern District of New York and Eastern District of Wisconsin.

- ALLEGED SHIPMENT:** On or about September 21 and 26, 1946, by the Southeastern Pecan Co., Inc., from Waycross, Ga.
- PRODUCT:** Pecans. 20 5-pound bags and 43 50-pound bags at Milwaukee, Wis., and 75 100-pound bags at New York, N. Y.
- LABEL, IN PART:** "Gulf Kist Brand Pecans Extra Large Blend."
- NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of moldy, rancid, and decomposed pecans.
- DISPOSITION:** November 18, 1946, and March 4, 1947. The Southeastern Pecan Co., Inc., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond, conditioned that the nuts be shelled and that the unfit portion be segregated and destroyed under the supervision of the Federal Security Agency.
- 11989. Adulteration of walnut meats. U. S. v. 5 Cartons * * *. (F. D. C. No. 21744. Sample No. 72631-H.)**
- LIBEL FILED:** November 26, 1946, District of Utah.
- ALLEGED SHIPMENT:** On or about January 15, 1946, by the L. Demartini Co., from San Francisco, Calif.
- PRODUCT:** 5 25-pound cartons of walnut meats at Provo, Utah.
- NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect excreta, webbing, and insect-damaged nuts.
- DISPOSITION:** February 14, 1947. No claimant having appeared, judgment was entered ordering that the product be destroyed by being utilized as animal feed.

OILS AND FATS

- 11990. Adulteration and misbranding of french dressing. U. S. v. 160 Cases, etc. (and 6 other seizure actions). (F. D. C. Nos. 21793 to 21800, incl. Sample Nos. 59099-H, 59100-H.)**
- LIBELS FILED:** Between the dates of December 2 and 21, 1946, District of Montana.
- ALLEGED SHIPMENT:** On or about August 16 and October 22, 1946, by the Virginia Dare Extract Co., Inc., from Brooklyn, N. Y.
- PRODUCT:** French dressing. 750 cases, each containing 24 8-ounce bottles, 195 cases, each containing 4 1-gallon bottles, and 19 cases, each containing 6 ½-gallon bottles, in various amounts, at Great Falls, Kalispell, Missoula, Butte, Helena, and Bozeman, Mont.
- LABEL, IN PART:** "Virginia Dare Non-Separating French Dressing (Wine Style)."
- NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, oil, had been in whole or in part omitted. (Oil is an integral part of french dressing. Examination showed that the product contained an insignificant amount of oil.)
- Misbranding, Section 403 (a), the designation "French Dressing" was false and misleading.
- DISPOSITION:** May 1, 2, and 3, 1947. The shipper having withdrawn its claim and consented to the entry of decrees, judgments of condemnation were entered and the product was ordered destroyed.
- 11991. Adulteration of mayonnaise. U. S. v. 153 Pints * * * (and 1 other seizure action). (F. D. C. Nos. 21787, 21788. Sample Nos. 43161-H, 43162-H.)**
- LIBELS FILED:** December 2 and 17, 1946, Southern District of West Virginia.
- ALLEGED SHIPMENT:** On or about November 4, 1946, by Princeton Produce Market, from Columbia, S. C.
- PRODUCT:** 153 1-pint jars and 3 cases, each case containing 12 1-pint jars, of mayonnaise at Princeton, W. Va.
- LABEL, IN PART:** "Warren's Mayonnaise Made with Mineral Oil, Eggs, Vinegar, Mustard, Salt and Sugar Made By Warren Food Co., Columbia, S. C."