

the presence of dirty peanuts; (6 bag lot) the article consisted in whole or in part of a filthy substance by reason of the presence of rodent pellets and rodent damaged peanuts.

Further adulteration, Section 402 (a) (4), (23-bag lot) the article had been held under insanitary conditions (in a mice-infested railroad car) whereby it may have become contaminated with filth.

**DISPOSITION:** March 31 and April 9, 1948. Default decrees of condemnation and destruction.

**12985. Misbranding of peanut butter, potato chips, and salad dressing. U. S. v. Gibson Food Company. Plea of guilty. Fine, \$150. (F. D. C. No. 23289. Sample Nos. 40054-H, 40056-H to 40058-H, incl.)**

**INFORMATION FILED:** July 16, 1947, Western District of Missouri, against the Gibson Food Co., a partnership, Springfield, Mo.

**ALLEGED SHIPMENT:** On or about December 10, 1946, and January 30, 1947, from the State of Missouri into the State of Kansas.

**LABEL, IN PART:** (Jars) "Gibson's Peanut Butter Net Wt. 32 Oz. [or "16 Oz.>"; "Gibson's Salad Dressing One Pint"; or (Bags) "Gibson's Potato Chips Net Weight 1 $\frac{3}{4}$  Ozs."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the products failed to bear labels containing an accurate statement of the quantity of the contents, since the jars and bags contained less than the amount declared.

**DISPOSITION:** September 23, 1947. A plea of guilty having been entered, the defendant was fined \$150.

**12986. Adulteration of peanut butter. U. S. v. Peanut Corporation of America (Peanut Products Co.), and Jack Levensky. Each defendant fined \$50 and costs. (F. D. C. No. 23611. Sample No. 99590-H.)**

**INFORMATION FILED:** November 17, 1947, Southern District of Iowa, against the Peanut Corporation of America, trading as the Peanut Products Co., at Des Moines, Iowa, and Jack Levensky, vice-president and general manager.

**ALLEGED SHIPMENT:** On or about June 3, 1947, from the State of Iowa into the State of Missouri.

**LABEL, IN PART:** "Lunch-on Peanut Butter."

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

**DISPOSITION:** April 23, 1948. A plea of guilty having been entered, the defendants were each fined \$50, plus costs.

**12987. Adulteration and misbranding of peanut butter. U. S. v. 55 Cases \* \* \*. (F. D. C. No. 23445. Sample No. 86770-H.)**

**LIBEL FILED:** September 9, 1947, Eastern District of Illinois.

**ALLEGED SHIPMENT:** On or about July 12, 1947, by the Aster Nut Products Co., from Evansville, Ind.

**PRODUCT:** 55 cases, each containing 24 jars, of peanut butter at Du Quoin, Ill.

**LABEL, IN PART:** "Twelve Ounces Net Blue Bell Brand Peanut Butter."

**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 fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (The article was short-weight.)

**DISPOSITION:** May 3, 1948. Default decree of condemnation and destruction.

**12988. Adulteration of walnut meats. U. S. v. 64 Cartons, etc. (F. D. C. Nos. 24417, 24418. Sample Nos. 24139-K, 24325-K.)**

**LIBEL FILED:** January 20, 1948, District of Minnesota.

**ALLEGED SHIPMENT:** On or about December 8, 1947, by the Whittier Walnut Packing Co., from El Monte, Calif.