

18436. Adulteration of cashew nuts and peanut butter. U. S. v. John W. Leavitt Co. and Nubar J. Dinjian. Pleas of guilty. Fines of \$450 against company and \$50 against individual. (F. D. C. No. 31557. Sample Nos. 5505-L, 5511-L, 5512-L.)

INFORMATION FILED: February 7, 1952, District of Massachusetts, against John W. Leavitt Co., a corporation, Boston, Mass., and Nubar J. Dinjian, plant manager of the corporation.

ALLEGED SHIPMENT: On or about April 12 and 18, 1951, from the State of Massachusetts into the State of Maine.

LABEL, IN PART: "Teddie Salted Cashews" and "Teddie Peanut Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (4), the articles had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: May 12, 1952. Pleas of guilty having been entered, the court imposed a fine of \$450 against the company and a fine of \$50 against the individual.

18437. Adulteration of shelled Spanish peanuts. U. S. v. 11 Bags * * *. (F. D. C. No. 31955. Sample No. 9901-L.)

LIBEL FILED: November 6, 1951, Northern District of Illinois.

ALLEGED SHIPMENT: On or about June 27, 1951, by the King Peanut Co., from Abilene, Tex.

PRODUCT: 11 120-pound bags of shelled Spanish peanuts at Chicago, Ill.

LABEL, IN PART: "Pee Wee."

NATURE OF CHARGE: Adulteration, Section 402 (a) (1), the product contained a deleterious substance, stones, which may have rendered it injurious to health.

DISPOSITION: January 7, 1952. Default decree of condemnation and destruction.

18438. Adulteration of unshelled peanuts, flour, and pancake mix. U. S. v. 57 Bags, etc. (and 2 other seizure actions). (F. D. C. No. 32462. Sample Nos. 35335-L to 35339-L, incl.)

LIBELS FILED: January 30, 1952, District of South Dakota.

ALLEGED SHIPMENT: On or about October 2, November 20, and December 28, 1951, from Omaha, Nebr., Suffolk, Va., and Minneapolis, Minn.

PRODUCT: 109 100-pound bags of unshelled peanuts, 160 25-pound bags and 57 50-pound bags of flour, and 7 cases, each containing 12 3½-pound bags, of pancake mix at Mitchell, S. Dak.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), (109 100-pound bags of unshelled peanuts) the product consisted in whole or in part of a filthy substance by reason of the presence of rodent-gnawed peanuts; (160 25-pound bags and 57 50-pound bags of flour) the product consisted in whole or in part of a filthy substance by reason of the presence of rodent urine; and (7 cases, each containing 12 3½-pound bags, of pancake mix) the product

consisted in whole or in part of a filthy substance by reason of the presence of insects.

Further adulteration, Section 402 (a) (4), (109 100-pound bags of unshelled peanuts and 57 50-pound bags of flour in the possession of the Mitchell Wholesale Grocery & Fruit Co.) the products had been held under insanitary conditions whereby they may have become contaminated with filth.

The products were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 14, 1952. The Mitchell Wholesale Grocery & Fruit Co., Mitchell, S. Dak., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the court ordered that the products be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

18439. Adulteration of shelled pecans. U. S. v. 258 Boxes * * *. (F. D. C. No. 32058. Sample No. 6994-L.)

LIBEL FILED: October 31, 1951, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 18, 1951, by the Consolidated Pecan Sales Co., from Albany, Ga.

PRODUCT: 258 25-pound boxes of shelled pecans at Pittsburgh, Pa.

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 rancid and otherwise decomposed pecans.

DISPOSITION: November 15, 1951. The Consolidated Pecan Sales Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for conversion into stock feed, under the supervision of the Federal Security Agency.

On November 16, 1951, the decree was amended to provide for the segregation and destruction of the unfit portion, under the supervision of the Federal Security Agency. The segregation operation resulted in a total of 3,384 pounds of nuts being found unfit. This portion was converted into bird feed.

18440. Adulteration of shelled walnuts. U. S. v. 2 Cases * * *. (F. D. C. No. 32078. Sample No. 19063-L.)

LIBEL FILED: November 9, 1951, District of Minnesota.

ALLEGED SHIPMENT: On or about May 9, 1951, from New York, N. Y.

PRODUCT: 2 25-pound cases of shelled walnuts at St. Paul, Minn.

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 insects. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 2, 1952. A default decree was entered, ordering that the product be denatured for use as animal feed.