

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 insects and insect fragments. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 14, 1953. William A. Higgins & Co., Inc., New York, N. Y., claimant, having admitted the facts as set forth in the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

As a result of salvaging operations, 28 pounds of cashew nuts were found unfit and were destroyed.

19587. Adulteration of shelled peanuts. U. S. v. 46 Bags * * *. (F. D. C. No. 34580. Sample No. 35883-L.)

LIBEL FILED: February 6, 1953, Western District of Kentucky.

ALLEGED SHIPMENT: On or about November 12, 1952, from Suffolk, Va.

PRODUCT: 46 100-pound bags of shelled peanuts at Louisville, Ky., in the possession of Shedd-Bartush Foods, Inc.

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 rodent pellets and rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 28, 1953. Shedd-Bartush Foods, Inc., 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 the segregation and the destruction of the unfit portion, under the supervision of the Federal Security Agency. 33 bags of the product were found unfit and were denatured.

19588. Adulteration of peanut butter. U. S. v. 10 Cases * * *. (F. D. C. No. 34489. Sample No. 14639-L.)

LIBEL FILED: December 17, 1952, District of Colorado.

ALLEGED SHIPMENT: On or about October 21 and 24, 1952, by Portales Valley Mills, Inc., from Portales, N. Mex.

PRODUCT: 10 cases, each containing 24 8-ounce jars, of peanut butter at Denver, Colo.

LABEL, IN PART: (Jar) "Pito's Homogenized 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 parts; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 2, 1953. Default decree of condemnation and destruction.

19589. Misbranding of peanut butter. U. S. v. 130 Cartons * * *. (F. D. C. No. 34413. Sample No. 37087-L.)

LIBEL FILED: December 9, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about October 21 and 22, 1952, by Lummis & Co., from Philadelphia, Pa.

PRODUCT: 130 cartons, each containing 24 jars, of peanut butter at New York, N. Y.

LABEL, IN PART: (Jar) "White Rose Homogenized Peanut Butter * * * Net 1 Lb."

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

DISPOSITION: January 7, 1953. Lummis & 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 the purpose of repacking the product so as to bring it into compliance with the law, under the supervision of the Federal Security Agency.

19590. Adulteration of peanut oil stock. U. S. v. 35,000 Pounds * * *. (F. D. C. No. 34125. Sample No. 69167-L.)

LIBEL FILED: November 11, 1952, District of New Mexico.

ALLEGED SHIPMENT: On or about October 7, 1952, by the Cisco Peanut Co., from Cisco, Tex.

PRODUCT: 35,000 pounds of peanut oil stock in 400 bags at Portales, N. Mex.

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 insects and rodent excreta.

DISPOSITION: December 16, 1952. Portales Valley Mills, Inc., Portales, N. Mex., claimant, having admitted the essential allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be denatured for use as stock feed, under the supervision of the Federal Security Agency.

19591. Adulteration of flavored coconut. U. S. v. 8 Drums * * *. (F. D. C. No. 34494. Sample Nos. 14297-L to 14300-L, incl.)

LIBEL FILED: December 17, 1952, District of Colorado.

ALLEGED SHIPMENT: On or about August 28 and September 2, 1952, by the Edenfruit Products Co., from Poplar Grove, Ill.

PRODUCT: 8 drums containing a total of approximately 1,000 pounds of flavored coconut at Denver, Colo.

LABEL, IN PART: "Edenfruit Vanilla (or Orange, or Lemon or Strawberry) Flavored Medium Coconut * * * Artificially Colored and Flavored."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of its rancid and bitter taste, rendering it unpalatable.

DISPOSITION: March 2, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

POULTRY

19592. Adulteration of dressed poultry. U. S. v. 3,053 Pounds * * *. (F. D. C. No. 34424. Sample 57365-L.)

LIBEL FILED: On or about December 11, 1952, District of Maryland.

ALLEGED SHIPMENT: On or about December 3, 1952, by H & H Poultry Co., Inc., from Selbyville, Del.