

alleging shipment on or about August 20 and 21, 1941, from the State of Maryland into the State of New York of quantities of poultry that was adulterated in that it consisted in whole or in part of a decomposed substance; and in that it was in whole or in part the product of animals, i. e. poultry which had died otherwise than by slaughter.

On February 11, 1942, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$100 and costs.

2769. Adulteration of poultry. U. S. v. Boote's Hatcheries & Packing Co., Inc. Plea of guilty. Fine, \$150. (F. D. C. No. 5482. Sample No. 46568-E.)

On January 27, 1942, the United States attorney for the District of Minnesota filed an information against Boote's Hatcheries & Packing Co., Inc., a corporation, Worthington, Minn., alleging shipment on or about December 24, 1940, from the State of Minnesota into the State of New York of a quantity of poultry that was adulterated in that it was in whole or in part the product of diseased animals.

On January 27, 1942, the defendant having entered a plea of guilty, the court imposed a fine of \$150.

2770. Adulteration of poultry. U. S. v. Priebe & Sons, Inc. (W. B. Parrott Co.). Plea of guilty. Fine, \$100 and costs. (F. D. C. No. 5481. Sample Nos. 56196-E to 56200-E, incl.)

On November 10, 1941, the United States attorney for the Northern District of Iowa filed an information against Priebe & Sons, Inc., trading as W. B. Parrott Co. at Manning, Iowa, alleging shipment on or about November 25, 1940, from the State of Iowa into the State of New York of a quantity of poultry that was adulterated in that it was in whole or in part the product of diseased animals. The article was labeled in part: "Choice Brand Poultry * * * Wilson & Co. Dist. * * * Chgo., Ill."

On November 10, 1941, the defendant having entered a plea of guilty, the court imposed a fine of \$100 and costs.

2771. Adulteration of canned fried chicken. U. S. v. 5 Cases of Canned Fried Chicken. Default decree of condemnation and destruction. (F. D. C. No. 5322. Sample No. 54051-E.)

Examination showed that this product was underprocessed and was undergoing progressive spoilage.

On August 5, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 5 cases, each containing 24 cans, of fried chicken at Philadelphia, Pa., alleging that the article had been shipped on or about March 6, 1941, by the Nomis Corporation from Jacksonville, Fla.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Penguin Brand Net Weight 10 Ounces Fried Milk Fed Chicken."

On September 8, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

NUTS AND NUT PRODUCTS

2772. Adulteration of pecan pieces. U. S. v. 15 Cases of Shelled Pecans. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 4784. Sample No. 29473-E.)

This product was contaminated with *Escherichia coli*.

On May 15, 1941, the United States attorney for the Southern District of Ohio filed a libel against 15 cases of shelled pecans at Cincinnati, Ohio, which had been consigned on or about April 10, 1941, alleging that the article had been shipped in interstate commerce by the Sunshine Pecan Shelling Co. from San Antonio, Tex.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: "60 Lbs. Net. * * * Small Pieces."

On June 18, 1941, the Sunshine Pecan Shelling Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.

2773. Adulteration of pecan pieces. U. S. v. 98 Cartons of Pecans. Product ordered released under bond for salvaging. (F. D. C. No. 5012. Sample No. 42421-E.)

Examination showed that this product contained curculio larvae.

On June 26, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against 98 cartons of pecans at Pittsburgh, Pa., al-