

**4470. Adulteration of pecans. U. S. v. 5 Bags of Pecans. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of the unfit portion. (F. D. C. No. 8977. Sample No. 28739-F.)**

Examination of this product showed the presence of moldy, rancid, and shriveled nuts.

On December 8, 1942, the United States attorney for the Western District of North Carolina filed a libel against 5 90-pound bags of pecans at Charlotte, N. C., alleging that the article had been shipped in interstate commerce on or about November 12, 1942, by J. B. Easterlin, Jr., from Montezuma, Ga.; 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: (Tag attached to bag) "Georgia Maid Brand Pecans."

On December 30, 1942, Biggers Bros. Inc., Charlotte, N. C., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation of the fit portion from the unfit portion and destruction of the unfit portion under the supervision of the Food and Drug Administration.

**4471. Adulteration of shelled pecans. U. S. v. 9 Cartons of Shelled Pecans. Default decree of condemnation and destruction. (F. D. C. No. 8855. Sample No. 17999-F.)**

Examination of this product showed the presence of rancid and decomposed nut meats.

On November 14, 1942, the United States attorney for the Southern District of New York filed a libel against 9 30-pound cartons of shelled pecans at New York City, N. Y., alleging that the article had been shipped in interstate commerce on or about March 9, 1942, by the R. E. Funsten Co. from St. Louis, Mo.; 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: (Carton) "Funsten's Amber Shelled Pecan Halves."

On December 4, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**4472. Adulteration of pecan pieces. U. S. v. Sam A. Pierce. Plea of guilty. Fine of \$150 on each of the first 2 counts and 18 months probation without supervision on the third count of the information. (F. D. C. No. 7299. Sample Nos. 70328-E, 70329-E, 86324-E, 86325-E.)**

Samples of this product were found to contain fecal pollution, rodent and other hair fragments, insects and insect fragments, and miscellaneous foreign matter.

On August 27, 1942, the United States attorney for the Middle District of Georgia filed an information against Sam A. Pierce at Cairo, Ga., alleging shipment within the period from on or about December 16, 1941, to on or about February 26, 1942, from the State of Georgia into the States of Florida and Illinois of quantities of pecan pieces that were adulterated in that they consisted in whole or in part of a filthy substance, and in that they had been prepared under insanitary conditions whereby they might have become contaminated with filth.

On November 16, 1942, the defendant having entered a plea of guilty, the court imposed a fine of \$150 on each of the first 2 counts of the information and placed the defendant on probation for a period of 18 months without supervision on the third count.

**4473. Adulteration of walnut meats. U. S. v. 19 Barrels of Black Walnut Meats. Consent decree of condemnation. Product ordered released under bond for washing and cleaning. (F. D. C. No. 7836. Sample No. 86575-E.)**

This product was contaminated with fecal *Esch. coli*.

On July 2, 1942, the United States attorney for the Northern District of Illinois filed a libel against 19 barrels of black walnut meats at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about March 25, 1942, by the Sunset Nut Shelling Co. from San Francisco, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Sunset Brand Black Walnut Meats."

On December 16, 1942, the Sunset Nut Shelling Co., claimant, having admitted the allegations of the libel and 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 washed and cleaned under the supervision of the Food and Drug Administration.