

5247. Adulteration of shelled pecans. U. S. v. 2 Cartons of Shelled Pecans. Default decree of condemnation and destruction. (F. D. C. No. 9740. Sample No. 38303-F.)

On April 3, 1943, the United States attorney for the Northern District of Illinois filed a libel against 2 30-pound cartons of shelled pecans at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about March 8, 1943, by the Southern Edible Products Co. from Albany, Ga.; and charging that it was adulterated in that it consisted in whole or in part of filthy substances, *Esch. coli* and rodent hairs.

On May 11, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5248. Adulteration of black walnut kernels. U. S. v. 10 Cartons of Black Walnut Kernels. Consent decree of condemnation and destruction. (F. D. C. No. 9814. Sample No. 43965-F.)

Inspection of the plant where this product was prepared showed the existence of insanitary conditions. Examination of the product showed the presence of *Esch. coli*, insect fragments, and hairs resembling rodent hairs.

On April 22, 1943, the United States attorney for the District of Kansas filed a libel against 10 35-pound cartons of black walnut kernels at Mission, Kans., alleging that the article had been shipped in interstate commerce on or about March 15, 1943, by the R. J. Muntzel Pecan Co., from Kansas City, Mo., to the place of business of the shipper at Mission, Kans.; and charging that it was adulterated in that it consisted in whole or in part of filthy substances, and in that it had been prepared under insanitary conditions whereby it may have become contaminated with filth. It was labeled in part: "Black Walnut Kernels, C. L. May, Bolivar, Mo."

On April 23, 1943, the R. J. Muntzel Pecan Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

5249. Adulteration of walnut kernels. U. S. v. 60 Cases of Walnut Kernels. Default decree of condemnation and destruction. (F. D. C. No. 9790. Sample No. 38337-F.)

On April 13, 1943, the United States attorney for the Eastern District of Wisconsin filed a libel against 60 cases, each containing 35 pounds, of walnut kernels at Milwaukee, Wis., alleging that the article had been shipped in interstate commerce on or about January 22 and 23, 1943, by Block Brothers from Nashville, Tenn.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance, *Esch. coli*, an organism which indicates pollution of fecal origin. The article was labeled in part: "'Tennessee Belle' Brand Black Walnut Kernels."

On June 30, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5250. Adulteration of walnut meats. U. S. v. 70 Cartons and 8 Cartons of Walnut Meats. One lot ordered released under bond for segregation and destruction of the unfit portion; remaining lot condemned and ordered destroyed. (F. D. C. Nos. 9721, 9848, 9849. Sample Nos. 30771-F, 30772-F, 30965-F.)

Examination showed that one of the lots was in part wormy and moldy, and the remaining lot was insect-damaged and contained insect excreta and webbing.

On March 31 and April 28, 1943, the United States attorneys for the Eastern and the Western Districts of Washington filed libels against 70 cartons of walnut meats at Cashmere, Wash., and 8 cartons of walnut meats at Seattle, Wash., alleging that the articles had been shipped in interstate commerce on or about December 29, 1941, and October 26, 1942, by the Pacific Coast Nut House from San Jose, Calif.; and charging that they were adulterated in that they consisted wholly or in part of a filthy and decomposed substance.

On May 26, 1943, the Liberty Orchards Co. of Cashmere, Wash., having appeared as claimant for the lot located there and having admitted the allegations of the libel, an order was entered releasing the product under bond for segregation of the fit portion from the unfit portion and destruction of the latter, under the supervision of the Food and Drug Administration. On July 13, 1943, no claimant having appeared for the lot located at Seattle, Wash., judgment of condemnation was entered and the product was ordered destroyed.