

**13684. Adulteration of pecans. U. S. v. 29,532 Pounds \* \* \* (F. D. C. No. 22612. Sample No. 17078-H.)**

**LIBEL FILED:** March 12, 1947, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about February 11, 1947, by the Denison Poultry & Egg Co., Denison, Tex.

**PRODUCT:** 29,532 pounds of pecans at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insect-infested and moldy pecans, and it was otherwise unfit for food by reason of the presence of empty shells.

**DISPOSITION:** April 4, 1947. The Denison Poultry & Egg Co., claimant, having admitted for the purpose of the proceeding only that the product was adulterated, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The nuts were shelled and segregated into edible and inedible portions; 633 pounds of the shelled nuts were destroyed and 8,581 pounds were released to the claimant.

**13685. Adulteration of shelled pecans. U. S. v. 50 Cartons \* \* \* (F. D. C. No. 23049. Sample No. 39563-H.)**

**LIBEL FILED:** May 22, 1947, Eastern District of Wisconsin.

**ALLEGED SHIPMENT:** On or about March 12, 1947, by the Acker Pecan & Produce Co., from Albany, Ga.

**PRODUCT:** 50 25-pound cartons of shelled pecans at Milwaukee, Wis.

**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 rodent hairs and *E. coli*; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** June 30, 1947. L. D. Acker, trading as the Acker Pecan & Produce Co., Albany, Ga., claimant, 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 brought into compliance with the law, under the supervision of the Food and Drug Administration, by cleaning and sterilization. On January 6, 1948, the decree was amended to provide for the disposition of the product as stock feed, soap oil, or other products not intended for human consumption.

**13686. Adulteration of peanut butter. U. S. v. Armour & Co. Plea of nolo contendere. Fine, \$1,000. (F. D. C. No. 24827. Sample Nos. 22280-K, 22281-K, 29210-K, 29211-K.)**

**INFORMATION FILED:** July 29, 1948, Northern District of Texas, against Armour & Co., Fort Worth, Tex.

**ALLEGED SHIPMENT:** On or about January 3 and February 16, 1948, from the State of Texas into the States of Louisiana and Colorado.

**LABEL, IN PART:** "Armour Star Homogenized Peanut Butter."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of rodent excreta fragments, rodent hair fragments, a cat hair, and insect fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** November 8, 1948. A plea of nolo contendere having been entered, the court imposed a fine of \$1,000.

**13687. Adulteration and misbranding of shredded coconut. U. S. v. 11 Cartons \* \* \* (and 3 other seizure actions). (F. D. C. Nos. 23637, 23662, 23668, 23670. Sample Nos. 55235H, 55238-H, 55533-H, 85712-H.)**

**LIBELS FILED:** August 18, 27, and 29, and September 2, 1947, Southern District of Georgia, District of Columbia, and Western District of North Carolina.

**ALLEGED SHIPMENT:** On or about June 4, 9, and 23, 1947, by the Export Sales Corp., from Miami, Fla.

**PRODUCT:** Shredded coconut. 11 20-pound cartons and 2 boxes containing a total of 26 pounds at Augusta, Ga., 5 20-pound cartons at Washington, D. C., and 5 20-pound cartons at Statesville, N. C.

LABEL, IN PART: "Cuban Coconut Co., S. A. \* \* \* Havana-Cuba."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of granulated sugar (approximately 70 percent), dried grated coconut, and salt had been substituted in whole or in part for coconut, which the product was represented to be.

Misbranding, Section 403 (b), a mixture of granulated sugar, dried grated coconut, and salt was offered for sale under the name of another food, coconut.

DISPOSITION: October 2 and 20, 1947, and August 16, 1948. Default decrees of condemnation and destruction.

### POULTRY

13688. Adulteration of frozen dressed poultry. U. S. v. Stork Brothers, a partnership, and Albrecht H. Stork. Pleas of guilty. Fine of \$400 against Stork Brothers and \$200 against Albrecht H. Stork. (F. D. C. No. 24527. Sample No. 15103-K.)

INFORMATION FILED: May 4, 1948, District of Minnesota, against Stork Brothers, New Ulm, Minn., and Albrecht H. Stork, partner.

ALLEGED SHIPMENT: On or about August 19, 1947, from the State of Minnesota into the State of Illinois.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was in part unfit for food by reason of bruises, discoloration, undigested food material, and imperfectly bled poultry; and, Section 402 (a) (5), it was in part the product of a diseased animal, i. e., abscessed and emaciated poultry.

DISPOSITION: June 14, 1948. Pleas of guilty having been entered on behalf of the defendants, the court imposed a fine of \$400 against Stork Brothers and \$200 against Albrecht H. Stork.

13689. Adulteration of frozen dressed poultry. U. S. v. George J. Tagerman (Baldwin Park Poultry Farms), and Dell H. Bryson. Pleas of guilty. Fine of \$50 against each defendant. (F. D. C. No. 20208. Sample No. 31466-H.)

INFORMATION FILED: On or about November 20, 1946, District of Utah, against George J. Tagerman, trading as Baldwin Park Poultry Farms, Salt Lake City, Utah, and Baldwin Park, Calif., and against Dell H. Bryson, manager of the Utah office of the business.

ALLEGED SHIPMENT: On or about April 11, 1945, from the State of Utah into the State of California.

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in part the product of a diseased animal, in that it consisted in part of fowl that was diseased at the time of slaughter.

DISPOSITION: March 20, 1948. Pleas of guilty having been entered, the court imposed a fine of \$50 against each defendant.

13690. Adulteration of frozen dressed poultry. U. S. v. 352 Boxes \* \* \*. (F. D. C. No. 23520. Sample No. 87512-H.)

LABEL FILED: July 25, 1947, District of New Jersey.

ALLEGED SHIPMENT: On or about June 27 and 28, 1947, by R. S. Anderson, from Clinton, Mo.

PRODUCT: 352 boxes, each containing approximately 55 pounds, of poultry at Jersey City, N. J.

LABEL, IN PART: "Glenaco Brand Well Fed Fowl."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed the presence of decomposed poultry.)

DISPOSITION: August 30, 1948. R. S. Anderson & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the fit portion be segregated and canned, or quick frozen, and that the unfit portion be destroyed or denatured for nonedible purposes, under the supervision of the Food and Drug Administration. Of the 19,344 pounds of poultry seized, 7,944 pounds were salvaged and frozen; the remainder was denatured.