

LIBELED: 1-12-60, Dist. Kans.

CHARGE: 402(a) (3)—contained insects while held for sale.

DISPOSITION: 2-8-60. Consent—claimed by Continental Nut Co., Chico, Calif.

The article was subsequently commingled with the articles involved in the libel actions reported in food notice of judgment, No. 26709. The commingled lot was segregated resulting in the destruction of the unfit portion.

27387. Unshelled mixed nuts. (F.D.C. No. 44096. S. No. 21-461 R.)

QUANTITY: 21 50-lb. bags at Detroit, Mich.

SHIPPED: 12-1-59, from New York, N.Y.

LIBELED: 3-17-60, E. Dist. Mich.

CHARGE: 402(a) (3)—contained moldy, rancid, decomposed, shriveled nuts, and empty shells while held for sale.

DISPOSITION: 4-7-60. Consent—claimed by Graham Co., Inc., New York, N.Y., and Marks & Goergens, Inc., Detroit, Mich. Segregated; 17 lbs. destroyed.

27388. Pinon nuts. (F.D.C. No. 44068. S. No. 96-507 P.)

QUANTITY: 2,572 72-lb. bags at Cahone, Colo.

SHIPPED: Approximately 90 percent of the article was shipped during October, November, and December 1959, from New Mexico; the remainder was shipped from various places in Colorado.

LIBELED: 2-17-60, Dist. Colo.

CHARGE: 402(a) (3)—contained animal excreta while held for sale.

DISPOSITION: 5-6-60. Consent—claimed by Lawrence Warehouse Co., San Francisco, Calif. Segregated; 805 lbs. destroyed.

27389. Shelled Spanish peanuts. (F.D.C. No. 45910. S. No. 45-416 R.)

QUANTITY: 4 124-lb. bags at Columbia, S.C.

SHIPPED: 4-21-61, from Albany, Ga., by Bain Peanut Co.

LABEL IN PART: (Tag) "No. 1 Spanish Shelled Peanuts Packed by Bain Peanut Company Albany, Georgia Lot No. 9."

LIBELED: 6-1-61, E. Dist. S.C.

CHARGE: 402(a) (3)—contained insects, insect parts, and rodent hairs; and 402(a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: 7-10-61. Default—destruction.

27390. Shelled pecans. (F.D.C. No. 45470. S. No. 11-869 R.)

QUANTITY: 10 30-lb. ctns. at Chicago, Ill., in possession of J. Barsotti & Co.

SHIPPED: 12-3-60, from Monroe, La.

RESULTS OF INVESTIGATION: The article was prepared and packed by the dealer from unshelled pecan nuts shipped as described above.

LIBELED: 2-12-61, N. Dist. Ill.

CHARGE: 402(a) (3)—contained *E. coli* while held for sale; and 402(a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: 3-1-61. Consent—claimed by J. Barsotti & Co., and reconditioned by washing, drying, and roasting.