

**1831. Adulteration of pecan meats. U. S. v. 4 Cases of Pecan Meats. Default decree of condemnation and destruction. (F. D. C. No. 3749. Sample No. 37251-E.)**

This product not only was contaminated with *E. coli* but moldy and decomposed pecans were present.

On or about February 13, 1941, the United States attorney for the Southern District of Florida filed a libel against 4 cases of pecan meats at Miami, Fla., alleging that the article had been shipped in interstate commerce on or about January 10, 1941, by the Lambert Farm & Pecan Co. from Thomasville, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance.

On March 6, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1832. Adulteration and misbranding of shelled pecans. U. S. v. 50 Cases of Shelled Pecans. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 3732. Sample No. 24960-E.)**

On January 30, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 50 cases of shelled pecans at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about January 10, 1940, from Bainbridge, Ga., by Lambert & Son Farm & Pecan Co.; and charging that it was adulterated and misbranded. The article was labeled in part: (Cases) "Guaranteed to Meet Requirements of U. S. Pure Food Law."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance, to wit, *Escherichia coli*. The article was alleged to be misbranded in that the statement "Guaranteed to Meet the Requirements of U. S. Pure Food Law" was false and misleading since it was incorrect.

On March 5, 1941, the Wricley Nuts Products of Philadelphia, Pa., 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.

**1833. Adulteration of pecan meats. U. S. v. 351 Cases of Pecan Meats. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 3702. Sample No. 46446-E.)**

On January 24, 1941, the United States attorney for the Eastern District of New York filed a libel against 351 cases of pecan meats at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about January 3 and 4, 1941, by the Miller Pecan Co. from Baconton, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On March 12, 1941, J. B. Miller, Jr., trading as Miller Pecan Co., 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.

**1834. Adulteration of shelled pecans. U. S. v. 6 Cartons of Shelled Pecans. Consent decree of condemnation and destruction. (F. D. C. No. 3867. Sample No. 47214-E.)**

This product not only was contaminated with *E. coli*, but was moldy.

On February 26, 1941, the United States attorney for the Northern District of Illinois filed a libel against 6 cartons of shelled pecans at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 30, 1941, by Sam A. Pierce from Cairo, Ga.; and charging that it was adulterated in that it consisted wholly or in part of a filthy or decomposed substance.

On March 27, 1941, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

**1835. Adulteration of shelled pecans. U. S. v. 6 Cartons of Shelled Pecans. Consent decree of condemnation and destruction. (F. D. C. No. 3868. Sample No. 47217-E.)**

This product not only was contaminated with *E. coli*, but examination showed the presence of moldy, rancid, and decomposed nuts.

On February 26, 1941, the United States attorney for the Northern District of Illinois filed a libel against 6 cartons of shelled pecans at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about

January 29, 1941, 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 a filthy and decomposed substance. The article was labeled in part: "S. T. Fish & Co. \* \* \* Chicago."

On March 28, 1941, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

**1836. Misbranding of peanuts. U. S. v. 15 Cases of Vacuum Packed Fresh Way Peanuts. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 3694. Sample No. 21295-E.)**

This product occupied less than 80 percent of the volume of its container and it was also short of the declared weight.

On January 21, 1941, the United States attorney for the District of Nevada filed a libel against 15 cases of peanuts at Reno, Nev., alleging that the article had been shipped in interstate commerce on or about September 26, 1940, by the J. M. Springer Co. from San Francisco, Calif.; and charging that it was misbranded.

The article was alleged to be misbranded in that its containers were so made, formed, or filled as to be misleading.

It was alleged to be misbranded further in that the statement "Contents 4 Ounces," borne on the label, was false and misleading since it was incorrect; and in that it was in package form and did not bear an accurate statement of the quantity of the contents in terms of weight.

On February 25, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

**1837. Adulteration of walnut meats. U. S. v. 8 Cartons of Walnut Meats. Default decree of condemnation and destruction. (F. D. C. No. 3851. Sample No. 21636-E.)**

This product was insect-infested and moldy.

On February 20, 1941, the United States attorney for the District of Montana filed a libel against 8 cartons of walnut meats from Havre, Mont., alleging that the article had been shipped in interstate commerce on or about February 3, 1941, by L. Demartini Co. from San Francisco, Calif.; and charging that it was adulterated in that it consisted wholly or in part of a filthy and decomposed substance.

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

**1838. Adulteration of walnut meats. U. S. v. 6 Cases of Walnut Meats. Default decree of condemnation and destruction. (F. D. C. No. 4055. Sample No. 56055-E.)**

Examination of this product showed the presence of wormy, rancid, and decomposed nuts.

On or about March 27, 1941, the United States attorney for the District of Connecticut filed a libel against 6 cases of walnut meats at Stratford, Conn., alleging that the article had been shipped in interstate commerce on or about January 18, 1941, by the L. R. Stone Co. from Los Angeles, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance.

On May 21, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

### VEGETABLE OILS

**1839. Misbranding of oil. U. S. v. 8 Cartons of Oil. Default decree of condemnation. Product ordered distributed to charitable institutions. (F. D. C. No. 3686. Sample No. 36389-E.)**

This product failed to comply with the labeling requirements of the law as indicated below.

On January 21, 1941, the United States attorney for the District of Rhode Island filed a libel against 8 cartons of oil at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about December 26, 1940, by the Spagna Oil Co. from Boston, Mass.; and charging that it was misbranded. Some cartons were labeled in part: "Buono Brand Fine Oil." The cans were unlabeled.