

means of ingress and egress by rodents and insects are eliminated, and the conditions which serve as focal points of bacterial contamination are eliminated; and any similar insanitary conditions which may result in the contamination of food for human consumption while prepared, packed, and held are eliminated.

(ii) All of the food on hand at said plant at 441 Piedmont Ave., N.E., Atlanta, Ga., at the time said plant is cleaned and rendered suitable for the preparation, packing and storage of food for human consumption is destroyed, denatured for use as animal feed, or cleaned, segregated, or otherwise reconditioned under the supervision of duly authorized representative of the Food and Drug Administration, Department of Health, Education, and Welfare, and all expenses of such supervision are paid by the defendants.

(iii) An inspection is made of the plant at 441 Piedmont Ave., N.E., Atlanta, Ga., by a duly authorized representative of the Food and Drug Administration, Department of Health, Education, and Welfare, and a report made to the court which shows that the above-described or any similar insanitary condition no longer exists, and that the food for human consumption described in subparagraph (ii) above has been destroyed, denatured, or brought into compliance with the law, as provided by such subparagraph (ii).

On 8-1-62, it appeared to the court that the defendants had discontinued the processing of food within the jurisdiction of the Northern District of Georgia, and the United States, and the court ordered that the injunction be dissolved and that the complaint be dismissed.

28683. Chestnuts. (F.D.C. No. 46901. S. No. 27-200 T.)

QUANTITY: 29 55-lb. bags, at Wichita, Kans.

SHIPPED: 10-30-61, from New York, N.Y.

LIBELED: On or about 2-13-62, Dist. Kans.

CHARGE: 402(a)(3)—while held for sale, the article contained insects and decomposed chestnuts.

DISPOSITION: 3-30-62. Default—destruction.

28684. Shelled peanuts. (F.D.C. No. 48097. S. No. 81-440 T.)

QUANTITY: 36 100-lb. bags at Philadelphia, Pa.

SHIPPED: 4-20-62, from Severn, N.C.

LIBELED: 9-14-62, E. Dist. Pa.

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

DISPOSITION: 10-10-62. Consent—claimed by Crescent Nut & Chocolate Co., Philadelphia, Pa. Segregated; 40 lbs. destroyed.

28685. Shelled peanuts and shelled filberts. (F.D.C. No. 48349. S. Nos. 21-747/8 V.)

QUANTITY: 92 60-lb. bags of peanuts and 239 5-lb. boxes of filberts, at Denver, Colo., in possession of Bankers Warehouse.

SHIPPED: Between 4-20-62 and 9-14-62, from Kansas City, Mo., and Salem, Oreg.

LIBELED: 11-5-62, Dist. Colo.

CHARGE: 402(a)(3)—contained rodent urine (peanuts) and insect pupae (filberts); and 402(a)(4)—held under insanitary conditions (peanuts).

DISPOSITION: 12-19-62. Default—destruction.

28686. Shelled Spanish peanuts. (F.D.C. No. 48293. S. No. 1-606 V.)

QUANTITY: 55 125-lb. bags, at Matthews, N.C., in possession of Trophy Co., Inc.

SHIPPED: 9-4-62, from Moultrie, Ga.

LIBELED: 11-13-62, W. Dist. N.C.

CHARGE: 402(a)(4)—held under insanitary conditions while held for sale.

DISPOSITION: 12-12-62. Consent—claimed by Trophy Co., Inc. Segregated: 9 bags destroyed.

28687. Shelled pecans. (F.D.C. No. 47125. S. Nos. 57-646 R, 45-440 T.)

INFORMATION FILED: 8-6-62, N. Dist. Tex., against Ellis Pecan Co., Inc., Fort Worth, Tex., and Jack C. Ellis, president.

SHIPPED: 1-24-61 and 10-31-61, from Fort Worth, Tex., to Miami, Fla., and Arkadelphia, Ark.

LABEL IN PART: (Ctn.) "Amber Pcs 30# Net Weight" and (bag) "Extra Quality Ellis Pecans Mechanically packed Net Wt. Packed by Ellis Pecan Co. Fort Worth, Texas."

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

PLEA: Nolo contendere.

DISPOSITION: 12-20-62. Corporation—\$1,000 fine; individual—\$200 fine.

28688. Pistachio nuts. (F.D.C. No. 46781. S. No. 6-829 T.)

QUANTITY: 20 cases, each containing 24 pkgs., at Cumberland, R.I.

SHIPPED: 10-31-61, from Boston, Mass., by John Zedros, Inc.

LABEL IN PART: (Pkg.) "Alma Brand Imported Extra Jumbo Pistachio Nuts 6 Oz. Net Weight Packed by John Zedros, Inc. Boston, Mass."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 12-14-61, Dist. R.I.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 10-10-62. Consent—claimed by John Zedros, Inc., and released for relabeling.

28689. Shelled black walnuts. (F.D.C. No. 47659. S. No. 58-748 T.)

QUANTITY: 20 30-lb. cases, at Wichita, Kans.

SHIPPED: 5-4-62, from Verona, Mo., by Spring River Shelling Co.

LABEL IN PART: (Case) "Ozark Brand Black Walnuts Packed and Pasteurized by Spring River Shelling Co. Verona, Mo. Mixed Sizes."

LIBELED: On or about 7-6-62, Dist. Kans.

CHARGE: 402(a)(3)—contained *E. coli* when shipped.

DISPOSITION: 10-2-62. Default—4 cases destroyed and remainder delivered to a public institution for animal feed.