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

DISPOSITION: 6-29-61. Consent—claimed by Donig Co., Inc., and reconditioned.

27529. Shelled walnuts. (F.D.C. No. 46318. S. No. 20-813 R.)

QUANTITY: 235 cases, 24 bags each, at Detroit, Mich.

SHIPPED: 7-14-61, from Stockton, Calif., by Diamond Walnut Growers, Inc.

LABEL IN PART: (Bag) "Diamond Brand California * * * Walnuts ¾ Cup Net Weight 85 gms. 3 ozs. * * * Packed by Diamond Walnut Growers, Inc., Stockton, California."

LIBELED: 8-31-61, E. Dist. Mich.

CHARGE: 403(f)—when shipped, the information required to appear on the label within the meaning of 403 (e)(1), (i)(2), and (k), namely, the name and address of the manufacturer, packer, or distributor, the common or usual name of each ingredient, and the statement of the fact that a chemical preservative was present, was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 9-29-61. Consent—claimed by Diamond Walnut Growers, Inc.; repacked and relabeled.

27530. Walnuts in sirup. (F.D.C. No. 46237. S. Nos. 70-237 R, 81-207 R.)

QUANTITY: 30 cases, 12 jars each, at Providence, R.I.

SHIPPED: Between 6-7-61 and 7-5-61, from Brighton, Mass., by H. A. Johnson Co.

LABEL IN PART: (Jar) "Murray's Walnuts in Syrup Net Wt. 7½ Ozs. * * * Mfd. by The Murray Co. Boston, Mass."

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

LIBELED: On or about 8-16-61, Dist. R.I.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of the contents; and 403(f)—the mandatory information required to appear on the label under 403(e), namely, the name and address of the manufacturer, packer, or distributor, and the quantity of contents statement, was not prominently placed thereon (as compared with other words and statements on the label) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 9-15-61. Default—delivered to charitable institutions.

27531. Peanut butter. (F.D.C. No. 45528. S. No. 26-012 R.)

QUANTITY: 220 33-lb. cans at Tucson, Ariz.

SHIPPED: 1-22-61, and other unknown dates, from Aubrey, Tex., by Choice Products Co., Inc.

LABEL IN PART: (Can) "La-Nut Pure Peanut Butter * * * LA. Nuthouse, Los Angeles, Calif."

LIBELED: 3-29-61, Dist. Ariz.

CHARGE: 402(a)(3)—contained insect fragments and insect larvae; and 402(a)(4)—prepared and packed under insanitary conditions.