DISPOSITION: March 28, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12190. Adulteration of pecan pieces. U. S. v. 17 Cartons * * *. (F. D. C. No. 22635. Sample No. 50551–H.)

LIBEL FILED: March 13, 1947, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about December 11, 1946, by the Greenville Pecan Co., from Greenville, Ala.

PRODUCT: 17 25-pound cartons of pecan pieces at New Orleans, La.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. (Examination disclosed the presence of rancid and moldy pecan pieces.)

DISPOSITION: April 28, 1947. Default decree of condemnation and destruction.

12191. Adulteration of shelled pecans. U. S. v. 9 Boxes * * *. (F. D. C. No. 22654. Sample No. 81846–H.)

LIBEL FILED: March 24, 1947, Eastern District of Washington.

ALLEGED SHIPMENT: On or about January 2, 1947, by the Dixie Paper Shell Pecan Exchange, Inc., from Barnesville, Ga.

PRODUCT: 9 60-pound boxes of shelled pecans at Spokane, Wash.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of *E. coli.*

DISPOSITION: May 12, 1947. The Dixie Paper Shell Pecan Exchange, Inc., 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 contaminated portion be segregated from the good portion and that both be disposed of in compliance with the law, under the supervision of the Federal Security Agency.

12192. Adulteration of black walnut kernels. U. S. v. 21 Boxes * * *. (F. D. C. No. 22503. Sample No. 65471–H.)

LIBEL FILED: February 10, 1947, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 4, 1946, by Dutt and Wagner, from Kingsport, Tenn.

PRODUCT: 21 5-pound boxes of black walnut kernels at Lansford, Pa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of *E. coli.*

DISPOSITION: April 3, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12193. Adulteration and misbranding of peanut butter. U. S. v. Witwer Grocer Co. (I. O. A. Foods), a corporation, and Ross E. Grange. Pleas of guilty. Corporation fined $250 and costs; individual fined $50. (F. D. C. No. 22104. Sample Nos. 77516–H, 77517–H.)

INFORMATION FILED: September 25, 1947, Northern District of Iowa, against the Witwer Grocer Company, trading as I. O. A. Foods, and Ross E. Grange, manager of I. O. A. Foods.

ALLEGED SHIPMENT: On or about February 17, 1947, from the State of Iowa into the State of Wisconsin.

LABEL, IN PART: (Cartons) "Peanut Butter * * * Taste-Rite Brand * * * Finest No. 1 Peanuts"; (jars) "Taste-Rite Brand Net Weight 2 Lbs. [or "6 Ozs."] Peanut Butter Finest No. 1 Peanuts."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insects and insect fragments.

Misbranding, Section 403 (a), the statement on the cartons and jars "Finest No. 1 Peanuts" was false and misleading, since the product was not manufactured from peanuts of high quality, but was manufactured from insect-infested peanuts.

DISPOSITION: September 25, 1947. Pleas of guilty having been entered on behalf of the defendants, the corporation was fined $250, plus costs, and the individual defendant was fined $50.