

**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*; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** August 15, 1947. Default decree of condemnation and destruction.

**12383. Adulteration of pecan meats. U. S. v. 29 Cases \* \* \*. (F. D. C. No. 22952. Sample No. 90618-H.)**

**LIBEL FILED:** April 22, 1947, Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about February 19, 1947, by the Acker Pecan & Produce Co., from Albany, Ga.

**PRODUCT:** 29 30-pound cases of pecan meats at Norfolk, Va.

**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*; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** October 16, 1947. L. D. Acker, Albany, Ga., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reprocessing and cleansing, under the supervision of the Food and Drug Administration.

**12384. Adulteration of black walnut kernels. U. S. v. 68 Cartons \* \* \*. (F. D. C. No. 22866. Sample Nos. 69401-H, 69402-H.)**

**LIBEL FILED:** On or about May 6, 1947, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about January 10 and February 15, 1947, by Lefkovits-Fleisman Co., Nashville, Tenn.

**PRODUCT:** 68 50-pound cartons of black walnut kernels at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of *E. coli*; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** June 2, 1947. Lefkovits-Fleisman Co., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

## OILS AND FATS

**12385. Adulteration and misbranding of olive oil. U. S. v. 319 Cans \* \* \*. (F. D. C. No. 22766. Sample Nos. 59973-H, 61314-H.)**

**PRODUCT:** March 20, 1947, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** During the latter part of October 1946, by Dominick Tini (or Tine), also known as Caprini or Batrini, and Jimmie, from New York, N. Y.

**PRODUCT:** 319 1-gallon cans of olive oil at Pittsburgh, Pa.

**LABEL, IN PART:** "Extra Fine Olive Oil Colomba Brand."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), artificially colored soybean oil had been substituted in whole or in part for olive oil; and, Section 402 (b) (4), artificial color had been added to the article and mixed and packed with it so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (a) the label statements "Extra Fine Olive Oil. This oil is guaranteed to be absolutely pure under any chemical analysis" (similar statements in Italian), were false and misleading as applied to artificially colored soybean oil; and, Section 403 (b), the article was offered for sale under the name of another food, olive oil.

**DISPOSITION:** April 7, 1947. D. Kart and Son, Pittsburgh, Pa., claimants, having admitted the allegations of the libel, judgment was entered ordering the product released under bond, conditioned that it be disposed of to a manufacturer of soap, under the supervision of the Food and Drug Administration.

**12386. Adulteration and misbranding of olive oil. U. S. v. 30 Cases \* \* \*. (F. D. C. No. 22931. Sample No. 54932-H.)**

**LIBEL FILED:** April 17, 1947, Northern District of Georgia.