

**ALLEGED SHIPMENT:** On or about September 17, 1953, by H. E. Kelley & Co., Inc., from New Church, Va.

**PRODUCT:** 89 cases, each containing 12 cans, of tomato juice at Boston, Mass.

**LABEL, IN PART:** (Can) "Kelley's Tomato Juice Contents Approximately 1 Qt. 14 F. Oz."

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

**DISPOSITION:** March 1, 1954. Default decree of condemnation and destruction.

## NUTS AND NUT PRODUCTS

**21340. Adulteration of pecan meats. U. S. v. 80 Cartons \* \* \*. (F. D. C. No. 36499. Sample No. 58090-L.)**

**LIBEL FILED:** April 9, 1954, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about March 2 and 3, 1954, by the Missouri Pecan Shelling Co., from St. Louis, Mo.

**PRODUCT:** 80 30-pound cartons of pecan meats at Chicago, Ill.

**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), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** May 10, 1954. Default decree of condemnation and destruction.

**21341. Adulteration of pecan meats. U. S. v. 26 Cartons \* \* \*. (F. D. C. No. 36723. Sample No. 53370-L.)**

**LIBEL FILED:** April 26, 1954, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about March 5, 15, 23, and 31, 1954, by the Southwest Pecan Co., from Bristow, Okla.

**PRODUCT:** 26 60-pound cartons of pecan meats at St. Louis, Mo.

**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 insects; and, Section 402 (b) (2), shell had been substituted in part for pecan granules, which the article was represented to be.

**DISPOSITION:** May 19, 1954. Default decree of condemnation and destruction.

**21342. Adulteration of sunflower seeds. U. S. v. 100 Bags, etc. (F. D. C. No. 36249. Sample No. 65501-L.)**

**LIBEL FILED:** December 16, 1953, District of Minnesota; amended libel filed December 30, 1953.

**ALLEGED SHIPMENT:** On or about February 27, 1953, from Manteca, Calif.

**PRODUCT:** 100 85-pound bags and 300 100-pound bags of sunflower seeds at St. Paul, Minn., in possession of the Fisher Nut & Chocolate Co.

**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 rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** January 11, 1954. The Fisher Nut & Chocolate Co., St. Paul, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the unfit portion under the supervision of the Department of Health, Education, and Welfare. As a result of the segregation operations, 4,498 pounds of the product were found unfit and were denatured for use as animal feed.

## POULTRY

**21343. Adulteration of dressed poultry. U. S. v. Rosen Poultry Co. Plea of guilty. Fine, \$1,000. (F. D. C. No. 35757. Sample Nos. 45573-L, 50531-L.)**

**INFORMATION FILED:** May 24, 1954, District of Connecticut, against the Rosen Poultry Co., a partnership, Danielson and Willimantic, Conn.

**ALLEGED SHIPMENT:** On or about May 28 and July 21, 1953, from the State of Connecticut into the States of New York and Massachusetts.

**LABEL, IN PART:** (A number of crates) "Rose-Maid Poultry Danielson Connecticut."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of birds contaminated with fecal matter; and, Section 402 (a) (5), the article was in part the product of a diseased animal, namely, diseased poultry.

**DISPOSITION:** June 14, 1954. The defendant having entered a plea of guilty, the court fined it \$1,000.

**21344. Adulteration of dressed poultry. U. S. v. 13 Crates \* \* \*. (F. D. C. No. 36163. Sample No. 73537-L.)**

**LIBEL FILED:** December 4, 1953, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 11, 1953, by the Millsboro Poultry Plant, from Millsboro, Del.

**PRODUCT:** 13 crates, containing a total of 959 pounds, of dressed poultry at Philadelphia, 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 birds contaminated with dirt, fecal matter, and crop material, and it was otherwise unfit for food by reason of the presence of torn, discolored, and extensively bruised birds.

**DISPOSITION:** January 18, 1954. Default decree of condemnation and destruction. On March 2, 1954, the decree was amended to permit two crates of the product to be released to the Department of Health, Education, and Welfare.

**21345. Adulteration of dressed poultry. U. S. v. 226 Pounds \* \* \*. (F. D. C. No. 36154. Sample No. 51933-L.)**

**LIBEL FILED:** December 2, 1953, District of New Jersey.

**ALLEGED SHIPMENT:** On or about November 6, 1953, by the Burris Processing Co., from Milford, Del.

**PRODUCT:** 226 pounds of dressed poultry in 3 crates at Newark, N. J.