DISPOSITION: Wallace W. Dale and Austin J. Dale, partners, t/a Orleans County Canning Co., Albion, N. Y., appeared as claimant in all four cases and filed answers denying that the products were adulterated as alleged. Thereafter, the Government served interrogatories upon the claimant in each of the cases, which interrogatories were answered.

On 3-9-54, pursuant to stipulation of the parties, the United States District Court for the District of Massachusetts entered an order consolidating the cases and removing them for trial in the United States District Court for the Northern District of New York. Thereafter, the claimant served interrogatories upon the Government which were answered. Subsequently, the claimant withdrew its answers and consented to the entry of a decree in each of the four cases. On 3-7-56, the court entered orders condemning the products and ordering that they be destroyed.

23079. Tomato catsup and rice. (F. D. C. No. 38484. S. Nos. 32-958/9 M.)

QUANTITY: 8 cases, 6 7-lb., 3-oz. cans each, of tomato catsup, and 8 25-lb. bags of rice at Denver, Colo., in possession of Westman Commission Co.

SHIPPED: 1-7-54 and 8-16-55, from Sacramento, Calif., and Stuttgart, Ark.

LIBELED: 10-17-55, Dist. Colo.

CHARGE: 402 (a) (3)—the rice contained rodent urine and the catsup contained a decomposed substance while held for sale; and 402 (a) (4)—the rice was held under insanitary conditions.

DISPOSITION: 12-8-55. Default—the catsup was destroyed, and the rice was disposed of for use as hog feed.

NUTS AND NUT PRODUCTS*

23080. Shelled pecans. (F. D. C. No. 38828. S. No. 30-374 M.)

QUANTITY: 3 30-lb. cartons at Memphis, Tenn.

SHIPPED: 12-5-55, from West Memphis, Ark., by Delta Pecan Co.

LIBELED: 1-27-56, W. Dist. Tenn.

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

DISPOSITION: 2-29-56. Default—consumption by animals.

23081. Shelled walnuts. (F. D. C. No. 38792. S. No. 40-339 M.)

QUANTITY: 38 25-lb. cartons at Minneapolis, Minn.

SHIPPED: 11-14-55, from Canoga Park, Calif., by Valley Shelling Co.

LABEL IN PART: (Carton) "Leo's Brand California Shelled Walnuts Standard Ambers."

LIBELED: 12-13-55, Dist. Minn.

CHARGE: 402 (a) (3)—contained insect-damaged walnuts and moldy walnuts when shipped.

DISPOSITION: 1-9-56. Consent—claimed by Leo Freistat, t/a Valley Shelling Co. Segregated, 54 lbs. converted to animal feed.

23082. Shelled walnuts. (F. D. C. No. 38818. S. No. 40-608 M.)

QUANTITY: 35 25-lb. cases at Minneapolis, Minn.

*See also Nos. 23055, 23056, 23091.