

allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

**2765. Adulteration of raisins. U. S. v. 13 Cases of Raisins. Default decree of condemnation and destruction.** (F. D. C. No. 5821. Sample No. 74042-E.)

Examination showed this product to be insect-infested.

On or about September 22, 1941, the United States attorney for the District of Connecticut filed a libel against 13 cases of raisins at New Haven, Conn., alleging that the article had been shipped in interstate commerce on or about October 19, 1939, by California Prune & Apricot Growers Association from San Jose, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Cases) "Sun-sweet Brand Choice Thompson Seedless Raisins."

On November 19, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2766. Adulteration of raisins. U. S. v. 79 Cases of Raisins. Default decree of condemnation and destruction.** (F. D. C. No. 6180. Sample No. 70028-E.)

This product was insect-infected.

On or about November 10, 1941, the United States attorney for the Southern District of Florida filed a libel against 79 cases of raisins at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about May 7, 1941, by the Sunland Sales Cooperative Association from Fresno, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Bakers' Wednesday Special Midget Thompson Raisins \* \* \* Sun-Maid Raisin Growers of California \* \* \* Fresno, California."

On December 1, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2767. Adulteration of dried eggs, dried onions, and dried potatoes. U. S. v. 5 Cases of Dried Potatoes, 5 Cases of Dried Onions, and 4 Cases of Dried Eggs (and 1 other case against dried eggs and dried potatoes). Default decrees of condemnation and destruction.** (F. D. C. Nos. 5025 to 5027, incl. Sample Nos. 60281-E to 60284-E, incl., 60286-E, 60289-E, 61504-E.)

The potatoes and the onions were contaminated with insect fragments and rodent hairs and the eggs contained insect fragments and rodent hairs and excreta.

On June 30, 1941, the United States attorney for the Western District of Washington filed a libel against 5 cases each containing 12 5-pound cans of dried potatoes, 5 cases each containing 24 1-pound cans of dried sliced onions, and 4 cases each containing 24 1-pound cans of dried eggs at Tacoma, Wash.; and on August 6, 1941 (amending a second libel originally filed on June 30, 1941), a libel against 22 cases each containing 12 5-pound cans of dried potatoes and 14 cases each containing 24 1-pound cans of dried eggs at Seattle, Wash., alleging that the articles had been shipped by the Dayton Evaporating & Packing Co. from Dayton, Oreg., within the period from on or about March 17 to on or about May 16, 1941; and charging that they were adulterated. They were labeled in part: "Gold Nugget Brand \* \* \* Evaporated Vegetables Granulated Potatoes [or "Sliced Onions"]"; or "Gold Nugget Brand Desiccated Eggs."

The articles were alleged to be adulterated in that they consisted in whole or in part of filthy substances; and in that they had been prepared under insanitary conditions whereby they might have become contaminated with filth.

On October 15, 1941, and February 19, 1942, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

## POULTRY

Nos. 2768 to 2770 report the institution of criminal proceedings and the judgments entered in actions based on the shipment of diseased poultry.

**2768. Adulteration of poultry. U. S. v. Agar Poultry Farms Corporation. Plea of nolo contendere. Fine, \$100 and costs.** (F. D. C. No. 5563. Sample Nos. 69511-E, 69512-E.)

Examination of this product disclosed the presence of decomposed as well as of diseased poultry.

On January 9, 1942, the United States attorney for the District of Maryland filed an information against the Agar Poultry Farms Corporation, Berlin, Md.,

alleging shipment on or about August 20 and 21, 1941, from the State of Maryland into the State of New York of quantities of poultry that was adulterated in that it consisted in whole or in part of a decomposed substance; and in that it was in whole or in part the product of animals, i. e. poultry which had died otherwise than by slaughter.

On February 11, 1942, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$100 and costs.

**2769. Adulteration of poultry. U. S. v. Boote's Hatcheries & Packing Co., Inc. Plea of guilty. Fine, \$150.** (F. D. C. No. 5482. Sample No. 46568-E.)

On January 27, 1942, the United States attorney for the District of Minnesota filed an information against Boote's Hatcheries & Packing Co., Inc., a corporation, Worthington, Minn., alleging shipment on or about December 24, 1940, from the State of Minnesota into the State of New York of a quantity of poultry that was adulterated in that it was in whole or in part the product of diseased animals.

On January 27, 1942, the defendant having entered a plea of guilty, the court imposed a fine of \$150.

**2770. Adulteration of poultry. U. S. v. Priebe & Sons, Inc. (W. B. Parrott Co.). Plea of guilty. Fine, \$100 and costs.** (F. D. C. No. 5481. Sample Nos. 56196-E to 56200-E, incl.)

On November 10, 1941, the United States attorney for the Northern District of Iowa filed an information against Priebe & Sons, Inc., trading as W. B. Parrott Co. at Manning, Iowa, alleging shipment on or about November 25, 1940, from the State of Iowa into the State of New York of a quantity of poultry that was adulterated in that it was in whole or in part the product of diseased animals. The article was labeled in part: "Choice Brand Poultry \* \* \* Wilson & Co. Dist. \* \* \* Chgo., Ill."

On November 10, 1941, the defendant having entered a plea of guilty, the court imposed a fine of \$100 and costs.

**2771. Adulteration of canned fried chicken. U. S. v. 5 Cases of Canned Fried Chicken. Default decree of condemnation and destruction.** (F. D. C. No. 5322. Sample No. 54051-E.)

Examination showed that this product was underprocessed and was undergoing progressive spoilage.

On August 5, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 5 cases, each containing 24 cans, of fried chicken at Philadelphia, Pa., alleging that the article had been shipped on or about March 6, 1941, by the Nomis Corporation from Jacksonville, Fla.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Penguin Brand Net Weight 10 Ounces Fried Milk Fed Chicken."

On September 8, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

### NUTS AND NUT PRODUCTS

**2772. Adulteration of pecan pieces. U. S. v. 15 Cases of Shelled Pecans. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 4784. Sample No. 29473-E.)

This product was contaminated with *Escherichia coli*.

On May 15, 1941, the United States attorney for the Southern District of Ohio filed a libel against 15 cases of shelled pecans at Cincinnati, Ohio, which had been consigned on or about April 10, 1941, alleging that the article had been shipped in interstate commerce by the Sunshine Pecan Shelling Co. from San Antonio, Tex.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: "60 Lbs. Net. \* \* \* Small Pieces."

On June 18, 1941, the Sunshine Pecan Shelling Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.

**2773. Adulteration of pecan pieces. U. S. v. 98 Cartons of Pecans. Product ordered released under bond for salvaging.** (F. D. C. No. 5012. Sample No. 42421-E.)

Examination showed that this product contained curculio larvae.

On June 26, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against 98 cartons of pecans at Pittsburgh, Pa., al-