

by Swift & Co. from Salisbury, Md.; and charging that it was adulterated in that it was in whole or in part the product of diseased animals.

On May 28 and June 19, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

### NUTS AND NUT PRODUCTS

Nos. 3592 to 3599 report actions based on interstate shipments of pecans that were contaminated with fecal *Escherichia coli*.

**3592. Adulteration of shelled pecans. U. S. v. Frank Springer. Plea of guilty. Fine, \$150.** (F. D. C. No. 5542. Sample Nos. 16592-E, 32486-E to 32488-E, incl.)

On May 5, 1942, the United States attorney for the Western District of Texas filed an information against Frank Springer at San Antonio, Tex., alleging shipment within the period from on or about November 20 to on or about December 3, 1940, from the State of Texas into the States of California and Nebraska of quantities of shelled pecans that were adulterated in that they consisted in whole or in part of a filthy substance; and in that they had been prepared, packed, or held under insanitary conditions whereby they might have become contaminated with filth.

On July 1, 1942, a plea of guilty having been entered by the defendant, the court imposed a fine of \$150.

**3593. Adulteration of pecan pieces. U. S. v. 6 Cases of Pecan Meats. Default decree of condemnation and destruction.** (F. D. C. No. 7336. Sample No. 70353-E.)

On April 14, 1942, the United States attorney for the Middle District of Georgia filed a libel against 6 cases of pecan meats at Valdosta, Ga., alleging that the article had been shipped in interstate commerce on or about March 12 and 17, 1942, by the Dasher Pecan Co. from Valdosta, Ga., to Miami, Fla., and that it had been returned by the consignee; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Amber Pieces 60 Lbs."

On May 7, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**3594. Adulteration of pecan pieces. U. S. v. 20 Cases of Pecan Pieces. Default decree of condemnation and destruction.** (F. D. C. No. 7145. Sample No. 71930-E.)

On April 2, 1942, the United States attorney for the Eastern District of Missouri filed a libel against 20 cases each containing 30 pounds of pecan pieces at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about February 25 and March 11, 1942, by Ellis Pecan Co. from Fort Worth, Tex., and charging that it was adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On May 6, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**3595. Adulteration of pecan meats. U. S. v. 17 Cartons and 1 Carton of Pecan Meats. Default decree of condemnation and destruction.** (F. D. C. No. 7032. Sample No. 86625-E, 86626-E.)

The 1-carton lot of this product was moldy, and the remaining 17 cartons contained *E. coli*.

On March 21, 1942, the United States attorney for the Northern District of Illinois filed a libel against 17 25-pound cartons and 1 50-pound carton of pecan meats at Chicago, Ill., alleging that the article had been shipped in interstate commerce within the period from on or about December 8, 1941, to on or about February 19, 1942, by Finklea Pecan Co. from Mobile, Ala.; and charging that it was adulterated. It was labeled in part: "Pecan meats small seedling pieces [or "Regular Seedling Halves"] \* \* \* Packed for J. W. Allen and Co. \* \* \* Chicago, Ill."

The 1-carton lot was alleged to be adulterated in that it consisted in whole or in part of a decomposed substance. The 17-carton lot was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On May 28, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.