

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

DISPOSITION: April 22 and 28, 1949. Default decrees of condemnation and destruction.

**14891. Adulteration of tomato catsup. U. S. v. 86 Cases \* \* \*. (F. D. C. No. 26864. Sample No. 46466-K.)**

**LIBEL FILED:** On or about March 17, 1949, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about February 20, 1949, by the Fettig Canning Corp., from Elwood, Ind.

**PRODUCT:** 86 cases, each containing 24 14-ounce bottles, of tomato catsup at St. Louis, Mo.

**LABEL, IN PART:** "Sweet Home Tomato Catsup."

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

DISPOSITION: May 5, 1949. Default decree of condemnation and destruction.

## NUTS

**14892. Adulteration of shelled pecans. U. S. v. R. E. Funsten Co. Plea of nolo contendere. Fine, \$575. (F. D. C. No. 26759. Sample Nos. 1081-K, 1082-K, 10127-K, 15248-K, 15249-K.)**

**INFORMATION FILED:** April 15, 1949, Eastern District of Missouri, against the R. E. Funsten Co., a corporation, St. Louis, Mo.

**ALLEGED SHIPMENT:** Between the approximate dates of October 28 and November 20, 1948, from the State of Missouri into the States of Florida, Indiana, New Jersey, and Illinois.

**LABEL, IN PART:** "Funsten's Select Medium [or "Small"] Pecan Pieces," "Funsten's Select Pecan Halves," or "Funsten's Shelled Pecans Select Halves."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect parts, rodent hair fragments, and feather fragments, and by reason of the presence (portion of product) of *Escherichia coli*, an organism indicating fecal pollution; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 29, 1949. A plea of nolo contendere having been entered, the defendant was fined \$575.

**14893. Adulteration of peanuts. U. S. v. 31 Bags \* \* \*. (F. D. C. No. 25418. Sample No. 44409-K.)**

**LIBEL FILED:** August 26, 1948, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about February 9, 1948, from Suffolk, Va.

**PRODUCT:** 31 100-pound bags of peanuts at Portsmouth, Ohio.

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 insect-infested nuts. The product was adulterated while held for sale after shipment in interstate commerce.