9164. Adulteration of capsicum. U. S. v. 20 Bags of Capsicum. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15834. Sample No. 22644–H.)

LIBEL FILED: March 29, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about December 9, 1944, by the P. H. Petry Co., from New York, N. Y.

PRODUCT: 20 53-pound bags of capsicum at St. Louis, Mo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of filthy and decomposed substances by reason of the presence of insect excreta and moldy pods.

DISPOSITION: April 19, 1945. The David G. Evans Coffee 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 or destroyed under the supervision of the Food and Drug Administration.

9165. Adulteration of mustard seed. U. S. v. 100 Bags of Mustard Seed. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15842. Sample No. 22031–H.)

LIBEL FILED: March 30, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about October 12, 1943, from Great Falls, Mont.

PRODUCT: 100 100-pound bags of mustard seed at St. Louis, Mo., in the possession of the Grocers Warehouse. The product had been stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets were observed on them. Examination showed that the product contained rodent pellets.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: On April 20, 1945, the Leston Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be destroyed or brought into compliance with the law, under the supervision of the Food and Drug Administration. On April 26, 1945, an order was entered providing for the destruction of the portion of the product found to be unfit after segregation.

9166. Adulteration of chili powder and pickling spices. U. S. v. 194 Cards of Chili Powder and 29 Cards of Pickling Spices. Default decree of condemnation and destruction. (F. D. C. No. 15923. Sample Nos. 28073–H, 28074–H.)

LIBEL FILED: May 5, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about March 23, 1943, from Los Angeles, Calif.

PRODUCT: 194 cards, each holding 12 1½-ounce envelopes, of chili powder, and 29 cards, each holding 12 1-ounce envelopes, of pickling spices at Bellingham, Wash.

LABEL, IN PART: "RW Chili Powder," and "RW Mixed Pickling Spices."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of larvae, insect excreta, and webbing.

DISPOSITION: October 31, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9167. Misbranding of celery seed. U. S. v. 59 Dozen Packages of Celery Seed. Default decree of condemnation and destruction. (F. D. C. No. 16104. Sample No. 4455–H.)

LIBEL FILED: May 7, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about April 17, 1945, by the Quaker City Coffee Mills, from Philadelphia, Pa.

PRODUCT: 59 dozen 1-ounce packages of celery seed at Camden, N. J.

NATURE OF CHARGE: Misbranding, Section 403 (d), the container of the product was so filled as to be misleading since the celery seed occupied, on an average, only 45 percent of the volume of the package.