

In accordance with the above opinion, an order was entered on 12-14-53 denying the defendants' motion for dismissal. On 2-8-54, the defendants were arraigned and entered pleas of not guilty. The case came on to trial before the court without a jury on 4-9-56, and at the conclusion of the trial on 4-10-56 the court rendered a verdict of guilty. On 6-25-56, the court imposed a fine of \$1,000 against the corporation and a jail sentence of 180 days against the individual defendant.

**23989. Frozen poultry.** (F. D. C. No. 40062. S. Nos. 44-146 M, 44-148 M.)

**QUANTITY:** 153 boxes, 3,455 lbs. total, at Memphis, Tenn.

**SHIPPED:** 6-22-56, from Hattiesburg, Miss., by C & S Poultry Co.

**LIBELED:** 3-21-57, W. Dist. Tenn.

**CHARGE:** 402 (a) (3)—when shipped, 99 boxes contained crop material and uncleaned gizzards, and 54 boxes, contained fecal material and decomposed birds.

**DISPOSITION:** 5-15-57. Default—delivered to a public institution for conversion into fertilizer.

### SPICES, FLAVORS, AND SEASONING MATERIALS\*

**23990. Capsicum.** (F. D. C. No. 39802. S. No. 27-608 M.)

**QUANTITY:** 87 85-lb. bags at New Orleans, La.

**SHIPPED:** 10-23-56, from New York, N. Y., by John Holt & Co.

**LABEL IN PART:** (Bag) "20 C Holts 12.1.55 Nigeria 53."

**LIBELED:** 12-4-56, E. Dist. La.

**CHARGE:** 402 (a) (3)—contained insects when shipped.

**DISPOSITION:** 1-8-57. Default—destruction.

**23991. Mustard seed.** (F. D. C. No. 39943. S. No. 53-326 M.)

**QUANTITY:** 62 100-lb. bags at New Orleans, La.

**SHIPPED:** 7-26-56, from Brooklyn, N. Y.

**LIBELED:** 2-7-57, E. Dist. La.

**CHARGE:** 402 (a) (3)—contained rodent pellets while held for sale.

**DISPOSITION:** 3-29-57. Default—destruction.

**23992. Nutmegs.** (F. D. C. No. 39856. S. No. 45-766 M.)

**QUANTITY:** 26 180-lb. bags of cracked nutmegs and 252 lbs. of ground nutmeg at Baltimore, Md.

**SHIPPED:** 10-11-56, from New York, N. Y.

**LIBELED:** On or about 2-1-57, Dist. Md.

**CHARGE:** 402 (a) (3)—contained insects and insect fragments while held for sale.

**DISPOSITION:** 2-28-57. Consent—claimed by Baltimore Spice Co., Baltimore, Md. Segregated; 887 lbs. destroyed.

**23993. Paprika.** (F. D. C. No. 40266. S. No. 14-561 M.)

**QUANTITY:** 29 110-lb. bags at St. Louis, Mo.

**SHIPPED:** 12-14-56, from Brooklyn, N. Y., by Morris J. Golombeck, Inc.

\*See also No. 23972.