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.

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*See also No. 23972.