

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.

LABEL IN PART: "Chilean Paprika Standard."

LIBELED: 5-29-57, E. Dist. Mo.

CHARGE: 402 (a) (3)—contained insect fragments and rodent excreta when shipped.

DISPOSITION: 6-26-57. Default—destruction.

23994. Poppyseed and caraway seed. (F. D. C. No. 39761. S. Nos. 56-392/3 M.)

QUANTITY: 2 bags, 105 lbs. each, of poppy seed, and 6 bags, 100 lbs. each, of caraway seed, at Duluth, Minn.

SHIPPED: 9-21-56, from Chicago, Ill.

LIBELED: 11-10-56, Dist. Minn.

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

DISPOSITION: 12-27-56. Default—denatured for animal feed.

23995. Salad mix. (F. D. C. No. 39762. S. No. 27-082 M.)

QUANTITY: 29 cases, 12 1-pt. jars each, at Jackson, Miss.

SHIPPED: 8-17-56, from Crowley, La., by Tiffe's Fine Food Products.

LABEL IN PART: (Jar) "Tiffe's Wop Salad Mix."

RESULTS OF INVESTIGATION: Examination showed the article was undergoing decomposition.

LIBELED: 11-9-56, S. Dist. Miss.

CHARGE: 402 (a) (3)—contained a decomposed substance when shipped.

DISPOSITION: 12-13-56. Default—destruction.

23996. Salad mix. (F. D. C. No. 39760. S. No. 43-295 M.)

QUANTITY: 6 cases, 12 jars each, at Memphis, Tenn.

SHIPPED: 8-19-56, from Crowley, La., by C. Derousselle.

LABEL IN PART: (Jar) "Tiffe's Wop Salad Mix * * * Contents Half Pint."

RESULTS OF INVESTIGATION: Examination showed the article was undergoing decomposition.

LIBELED: 11-9-56, W. Dist. Tenn.

CHARGE: 402 (a) (3)—contained a decomposed substance when shipped.

DISPOSITION: 12-11-56. Default—destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE*

23997. Bernalac and cream of celery soup base. (F. D. C. No. 38601. S. Nos. 27-735 L, 7-376 M, 7-379 M, 16-063 M.)

INFORMATION FILED: 6-7-56, N. Dist. Calif., against Bernard Food Industries, Inc., San Jose, Calif., and Frank S. Bernard, President.

SHIPPED: Between 9-4-53 and 3-29-55, from California to Washington, Nevada, and Colorado.

LABEL IN PART: (Can) "Bernard Bernalac Net Weight 16 oz. Fortified with Vitamins" or "Bernard Barnalac Net Weight 4 lbs." and (Jar) "Bernard Salt Free—Low Sodium Cream of Celery Soup Base Net Wt. 12 ozs. Sodium Content—1.25 mg. of sodium per 100 gm of dry base by Spectrophotometric

*See also Nos. 23901, 23911.