

hydrin. Examination showed that the oleomargarine had an abnormal taste.
LIBELED: 1-18-57, N. Dist. Ga.
CHARGE: 402 (a) (4)—the article, when shipped, was held in a truck under insanitary conditions whereby it may have become contaminated with a deleterious chemical; and 402 (e)—the article was unfit for food since it had an abnormal taste.
DISPOSITION: 4-22-57. Default—destruction.

POULTRY

24043. Dressed chickens. (F. D. C. No. 40344. S. No. 69-377 M.)

QUANTITY: 9 crates, some of which contained 70 lbs. and some of which contained 73 lbs. at Atlantic City, N. J.

SHIPPED: 6-25-57, from Selbyville, Del., by H & H Poultry Co.

RESULTS OF INVESTIGATION: Examination showed the presence of pellets of added diethylstilbestrol, a deleterious substance, in the edible portions of the birds.

LIBELED: 7-2-57, Dist. N. J.

CHARGE: 402 (a) (1)—contained, when shipped, an added poisonous or deleterious substance, diethylstilbestrol, which may render the article injurious to health.

DISPOSITION: 9-12-57. Consent—claimed by H & H Poultry Co. The article was brought into compliance with the law by removing and denaturing the neck of each of the chickens.

24044. Dressed poultry. (Inj. No. 299.)

COMPLAINT FOR INJUNCTION FILED: 4-13-56, M. Dist. N. C., against John W. Burwell, Jr. t/a Modern Poultry Co., High Point, N. C.

CHARGE: The complaint alleged that the defendant was engaged in preparing and distributing dressed and drawn and New York dressed poultry, and had been and was causing to be introduced and delivered for introduction into interstate commerce such poultry which was adulterated within the meaning of 402 (a) (3) and (4) by reason of the presence in the poultry of fecal material, crop material, intestines, and other filthy material, and by reason of the preparation, packing, and holding of the poultry at the defendant's plant under insanitary conditions.

It was alleged further that the insanitary conditions resulted from and consisted of the method of making the abdominal cut which severs the intestines, causing fecal material to be spread over the inside of the body cavity, the preparation of the birds in an improper manner, allowing the retention of the trachea, ventriculus, reproductive organs, or offal, which might contaminate the poultry, the presence of feathers, gizzard linings, lungs, and other miscellaneous dirt and debris on the floors and walls of the plant, and general carelessness on the part of the defendant and his employees.

The complaint alleged further that the defendant was well aware that his activities were in violation of the law; that various inspections had been made of the defendant's plant by the Food and Drug Administration; that a Notice of Hearing pursuant to Section 305 had been issued to the defendant in 1955; and that despite such warnings, the defendant failed to correct the insanitary conditions in the plant and continued to introduce into interstate commerce poultry which was adulterated as described above.

DISPOSITION: On 4-13-56, the court entered a temporary restraining order enjoining the defendant against the acts complained of. On 4-20-56, the defendant having consented, the court entered a decree perpetually enjoining and restraining the defendant from directly or indirectly causing to be introduced or delivered for introduction into interstate commerce, poultry or any other such article which was adulterated as alleged in the complaint.

24045. Dressed poultry. (F. D. C. No. 40340. S. No. 75-982 M.)

QUANTITY: 473 lbs. in 7 crates at Worcester, Mass.

SHIPPED: 6-11-57, from Belfast, Maine, by Maplewood Packing Co.

LABEL IN PART: "Maine's Best * * * Hillcrest Poultry Co. * * * Chemically Treated With Diethylstilbestrol."

RESULTS OF INVESTIGATION: Examination showed the presence of pellets of added diethylstilbestrol in the edible portions of the birds.

LIBELED: 6-27-57, Dist. Mass.

CHARGE: 402 (a) (1)—when shipped, the article contained an added poisonous or deleterious substance, diethylstilbestrol, which may render the article injurious to health.

DISPOSITION: 7-22-57. Default—the necks of the poultry, which contained the diethylstilbestrol, were removed and destroyed and the remainder was delivered to a charitable organization.

SPICES, FLAVORS, AND SEASONING MATERIALS

24046. Nutmeg siftings. (F. D. C. No. 40115. S. Nos. 67-089/90 M.)

QUANTITY: 1,429 lbs. at Baltimore, Md.

SHIPPED: 1-30-57, from New York, N. Y.

LIBELED: 3-29-57, Dist. Md.

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

DISPOSITION: 4-15-57. Consent—claimed by Karl H. Landes and E. Balint, Inc., New York, N. Y. Segregated; 657 lbs. destroyed.

24047. Imitation vanilla extract. (F. D. C. No. 40170. S. No. 45-801 M.)

QUANTITY: 52 8-oz. btls., at Lineboro, Md.

SHIPPED: 2-8-57, from York, Pa., by Morris Drug Co.

LIBELED: 4-23-57, Dist. Md.

CHARGE: 402 (a) (2)—the article, when shipped, contained an added poisonous and deleterious substance, coumarin, which is unsafe within the meaning of 406 (a), since it is a substance not required in the production of imitation vanilla extract and can be avoided by good manufacturing practice.

DISPOSITION: 5-22-57. Default—destruction.

24048. Mustard seed. (F. D. C. No. 40185. S. Nos. 64-201/3 M.)

QUANTITY: 2,400 100-lb. bags at Rochester, N. Y., in possession of Monroe Warehouse System, Inc.

SHIPPED: Between 9-5-55 and 10-17-56, from Manson and Great Falls, Mont., and Lethbridge, Alberta, Canada.

LIBELED: 4-25-57, W. Dist. N. Y.