13189. Adulteration of dressed turkeys. U. S. v. 8 Boxes * * * (and 1 other seizure action). (F. D. C. Nos. 24168, 24195. Sample Nos. 724–K, 725–K.)

LIBELS FILED: December 4 and 29, 1947, Southern District of Florida.

ALLEGED SHIPMENT: On or about November 13 and 15, 1947, by the Fairmont Creamery Co. (Fairmont Foods Co.), from Giddings, Tex.

PRODUCT: 8 boxes, each containing 8 turkeys, and 12 boxes, each containing 6 turkeys, at Jacksonville, Fla.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of its being contaminated with fecal matter, and of a decomposed substance by reason of the presence of decomposed turkeys; and, Section 402 (a) (5), it was in whole or in part the product of a diseased animal.

DISPOSITION: February 26. 1948. Fairmont Foods Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for evisceration and inspection under the supervision of the Federal Security Agency.

SPICE*

13190. Adulteration and misbranding of black pepper. U. S. v. Eli Souffie (Emsco Food Products). Plea of guilty. Fine, $100. (F. D. C. No. 23310. Sample Nos. 57170–H, 57418–H.)

INFORMATION FILED: April 14, 1948, District of Massachusetts, against Eli Souffie, trading as Emsco Food Products, Boston, Mass.

ALLEGED SHIPMENT: On or about August 20, 1946, from the State of Massachusetts into the State of Rhode Island.

LABEL, IN PART: "Emsco Brand Black Pepper."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance consisting essentially of a mixture of salt, starch, and pepper had been substituted for black pepper.

Misbranding, Section 403 (a), the label statement "Black Pepper" was false and misleading.

DISPOSITION: May 12, 1948. A plea of guilty having been entered, the court imposed a fine of $100.

13191. Adulteration and misbranding of black pepper. U. S. v. Louis Travaglini. Plea of not guilty. Tried to the court. Judgment of guilty. Fine, $500; defendant placed on 30 days' probation. (F. D. C. No. 21489. Sample Nos. 1775–H, 1777–H, 1781–H.)

INFORMATION FILED: July 17, 1947, Eastern District of Pennsylvania, against Louis Travaglini, Philadelphia, Pa.

ALLEGED SHIPMENT: On or about August 2, 7, and 28, 1946, from the State of Pennsylvania into the State of Georgia.

LABEL, IN PART: (Cards) "Red Star Pure Black Pepper Packed by Red Star Packing Co. Phila. Pa.," or "Di Rita's Pure Black Pepper. * * * Packed by Di Rita Food Products Phila., Pa."; (packages) "Pure Black Pepper."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of salt, starch, and pepper had been substituted for pure black pepper.

Misbranding, Section 403 (a), the label statement "Pure Black Pepper" was false and misleading.

DISPOSITION: February 9, 1948. A plea of not guilty having been entered, the case was tried before the court. Judgment of guilty was entered. The defendant was fined $500 and placed on 30 days' probation, the fine to be paid in 30 days as part of the probation.

13192. Misbranding of black pepper. U. S. v. Comegys Food Co. and Robert A. Comegys, Jr. Plea of nolo contendere by Comegys Food Co.; fine, $100. Plea of not guilty by Robert A. Comegys, Jr.; judgment of not guilty. (F. D. C. No. 23226. Sample Nos. 2084–H, 2085–H, 64653–H.)

INFORMATION FILED: November 21, 1947, Eastern District of Pennsylvania, against the Comegys Food Co., a partnership, Philadelphia, Pa., and Robert A. Comegys, Jr., a partner.

ALLEGED SHIPMENT: On or about November 5, 12, and 20, 1946, from the State of Pennsylvania into the State of Connecticut and the District of Columbia.

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*See also No. 13170.