NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 13, 1951. Default decree of condemnation and destruction.

17463. Adulteration of rice. U. S. v. 8 Bags * * *. (F. D. C. No. 30815. Sample No. 12863–L.)

LIBEL FILED: February 27, 1951, District of New Mexico.

ALLEGED SHIPMENT: On or about November 28, 1950, from Houston, Tex.

PRODUCT: 8 100-pound bags of rice at Albuquerque, N. Mex., in possession of the Heights Wholesale Grocery Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent urine and rodent pellets; and, Section 402 (a) (4), the product had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 29, 1951. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution for use as animal feed.

FISH AND SHELLFISH

17464. Adulteration and misbranding of codfish. U. S. v. 27 Cartons * * *. (F. D. C. No. 30775. Sample No. 25216–L.)

LIBEL FILED: March 12, 1951, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 17, 1950, and January 29, 1951, by J. W. Beardsley's Sons, from Newark, N. J.

PRODUCT: 27 5-pound cartons of fibered codfish at Philadelphia, Pa.

LABEL, IN PART: (Carton) "Matchless Fibered Codfish in Bulk."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an article containing pieces of bone had been substituted in whole or in part for fibered codfish, which is expected to be free from bones.

Misbranding, Section 403 (a), the label statement "Fibered Codfish" was false and misleading as applied to a product in which a substantial amount of the bones remained.

DISPOSITION: May 14, 1951. Default decree of condemnation and destruction.

17465. Adulteration of canned mackerel and sardines. U. S. v. 299 Cases, etc. (F. D. C. No. 30840. Sample Nos. 17951–L, 17952–L.)

LIBEL FILED: February 19, 1951, Middle District of Alabama.

ALLEGED SHIPMENT: On or about January 5, 1951, by Cal-Cap Fisheries, Inc., from Wilmington, Calif.

PRODUCT: 299 cases, each containing 48 15-ounce cans, of jack mackerel, and 299 cases, each containing 48 15-ounce cans, of sardines at Dothan, Ala.

LABEL, IN PART: "Cal-Cap Brand California Jack Mackerel [or "Sardines"]."