

delivered to a charitable institution; and that the unfit portion be destroyed. Four crates of poultry were salvaged as fit.

17739. Misbranding of canned boned chicken. U. S. v. 63 Cartons * * *
(F. D. C. No. 30874. Sample No. 24598-L.)

LIBEL FILED: March 27, 1951, District of New Jersey.

ALLEGED SHIPMENT: On or about August 2, 1950, by Harp Foods Mfg., Inc., from Shawnee, Okla.

PRODUCT: 63 cartons, each containing 18 2-pound, 3-ounce cans, of boned chicken at Jersey City, N. J.

LABEL, IN PART: (Can) "Harp's Oklahoma Brand Boned Chicken."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "Boned Chicken" was false and misleading since the product contained bones.

DISPOSITION: June 8, 1951. Harp Foods Mfg., Inc., an Oklahoma corporation, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling to indicate that it contained boned chicken meat with imbedded bones of chicken, under the supervision of the Federal Security Agency.

SPICES, FLAVORS, AND SEASONING MATERIALS

17740. Adulteration of red pepper hulls. U. S. v. 2 Unlabeled Barrels * * *
(F. D. C. No. 30986. Sample No. 31077-L.)

LIBEL FILED: June 15, 1951, Western District of Tennessee.

ALLEGED SHIPMENT: On or about May 8, 1951, by John N. Wright, Jr., from Federalsburg, Md.

PRODUCT: 2 unlabeled barrels, each containing 500 pounds, of red pepper hulls at Memphis, Tenn.

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 insects and insect parts; and, Section 402 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 18, 1951. Default decree of condemnation and destruction.

17741. Adulteration and misbranding of popcorn seasoning. U. S. v. 11 Pails * * *
(F. D. C. Nos. 30972, 30973. Sample No. 15578-L.)

LIBEL FILED: On or about July 6, 1951, Western District of Missouri.

ALLEGED SHIPMENT: On or about September 13, 1950, by E. F. Drew Co., from Chicago, Ill.

PRODUCT: 11 50-pound pails of popcorn seasoning at St. Joseph, Mo.

LABEL, IN PART: "Cobee Pops Brand Popcorn Seasoning."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of its disagreeable odor and taste. The product was adulterated while held for sale after shipment in interstate commerce.

Misbranding, Section 403 (e) (1), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and, Section 403 (i) (2), it was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each ingredient. The product was misbranded while in interstate commerce.