lot) the article consisted in whole or in part of a filthy substance by reason of the presence of birds contaminated with fecal matter and crop material.

DISPOSITION: September 25, 1951. Default decrees of condemnation. The court ordered that portions of the product be delivered to the Federal Security Agency and that the remainder be destroyed.

SPICES, FLAVORS, AND SEASONING MATERIALS

18095. Misbranding of black pepper. U. S. v. 13 Cases * * *. (F. D. C. No. 31673. Sample No. 1364–L.)

LIBEL FILED: September 11, 1951, Western District of North Carolina.

ALLEGED SHIPMENT: On or about May 3, 1951, by the Monogram Coffee & Tea Co., from Charleston, S. C.

PRODUCT: 13 cases, each containing 144 cans, of black pepper at Charlotte, N. C.

LABEL, IN PART: (Can) "Net Wt. 1 Oz. Monogram Superior Pure Ground Black Pepper."

NATURE OF CHARGE: Misbranding, Section 403 (d), the container of the article was so made, formed, or filled as to be misleading; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Net Wt. 1 Oz." was inaccurate. (Examination showed that the volume of the container was 75 cc., whereas a container of such size could easily contain 1¼ ounces of black pepper. The article was found also to be short of the declared weight.)

DISPOSITION: December 18, 1951. The Monogram Coffee & Tea Co., 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 repacking and reprocessing, under the supervision of the Federal Security Agency.

18096. Adulteration of chili peppers. U. S. v. 175 Unlabeled Bags * * *. (F. D. C. No. 31479. Sample No. 11128–L.)

LIBEL FILED: August 16, 1951, Southern District of Ohio.

ALLEGED SHIPMENT: On or about May 23, 1951, by McClintock-Stern Co., Inc., from San Francisco, Calif.

PRODUCT: 175 unlabeled bags (approximately 35,000 pounds) of chili peppers at Cincinnati, Ohio.

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 insect-infested peppers, and of a decomposed substance by reason of the presence of moldy peppers.

DISPOSITION: September 5, 1951. The Frank Tea & Spice Co., claimant, having admitted the truth of the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. Reconditioning operations resulted in the release of approximately 30,000 pounds of the product and in the destruction of approximately 3,559 pounds.

18097. Adulteration and misbranding of french dressing. U. S. v. 22 Cases * * *. (F. D. C. No. 31641. Sample No. 4484–L.)

LIBEL FILED: August 21, 1951, District of Columbia.