

Misbranding, Section 403 (a), the label designation "Tomato Sauce" was false and misleading as applied to slightly concentrated tomato juice containing added starch.

DISPOSITION: September 26, 1951. Default decree of condemnation and destruction.

MEAT AND POULTRY

18139. Adulteration of dressed rabbits. U. S. v. 1 Unlabeled Basket * * *.
(F. D. C. No. 32538. Sample No. 26316-L.)

LIBEL FILED: February 21, 1952, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 8, 1952, by K. H. Crist, from Westphalia, Kans.

PRODUCT: 1 unlabeled basket containing approximately 38 dressed rabbits at Philadelphia, Pa.

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 dirt, hair, and fecal matter.

DISPOSITION: March 7, 1952. The shipper having advised that no claim would be made, judgment of condemnation was entered and the court ordered that the product be destroyed.

18140. Adulteration of dressed poultry. U. S. v. Canton Produce Co. Plea of guilty. Fine, \$50. (F. D. C. No. 31091. Sample Nos. 89875-K, 89880-K.)

INFORMATION FILED: June 4, 1951, District of South Dakota, against the Canton Produce Co., a partnership, Canton, S. Dak.

ALLEGED SHIPMENT: On or about December 9 and 16, 1950, from the State of South Dakota into the State of Nebraska.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of dressed poultry contaminated with rodent and insect excreta pellets; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 30, 1951. A plea of guilty having been entered, the court imposed a fine of \$50.

18141. Adulteration of dressed poultry. U. S. v. 8,000 Pounds * * *.
(F. D. C. No. 31615. Sample No. 24358-L.)

LIBEL FILED: August 14, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about July 30, 1951, by the Berry Brothers, from Morrill, Maine.

PRODUCT: 8,000 pounds of dressed poultry in 104 crates at Bronx, N. Y.

LABEL, IN PART: "Berry Brothers Quality Packed Maine Poultry."

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the article contained an added deleterious substance, diethylstilbestrol, which is unsafe within the meaning of the law.

DISPOSITION: November 5, 1951. Berry Brothers, 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 the purpose of removing the head and neck of each bird and eviscerating all of the birds under the supervision of the Federal Security Agency.

18142. Adulteration of dressed poultry. U. S. v. 479 Pounds * * *. (F. D. C. No. 31748. Sample No. 25796-L.)

LIBEL FILED: On or about October 5, 1951, District of New Jersey.

ALLEGED SHIPMENT: On or about September 17, 1951, by the Samor Poultry Corp., from Wilmington, Del.

PRODUCT: 479 pounds of dressed poultry in 6 crates at Camden, N. J.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of fecal matter and crop material.

DISPOSITION: December 6, 1951. Default decree of condemnation. The court ordered that the product be destroyed, with the exception of 1 crate which was ordered delivered to the Federal Security Agency.

18143. Adulteration of dressed poultry. U. S. v. 117 Pounds * * *. (F. D. C. No. 31676. Sample No. 24377-L.)

LIBEL FILED: September 11, 1951, Eastern District of New York.

ALLEGED SHIPMENT: On or about August 28, 1951, by the Mandata Poultry Co., from Mandata, Pa.

PRODUCT: 117 pounds of dressed poultry in 2 crates at Brooklyn, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), 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: November 14, 1951. Default decree of condemnation and destruction.

18144. Adulteration of dressed poultry. U. S. v. 109 Pounds * * *. (F. D. C. No. 31731. Sample No. 25794-L.)

LIBEL FILED: September 25, 1951, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 10, 1951, by the Spencer Poultry Co., from Dayton, Va.

PRODUCT: 109 pounds of dressed poultry in 2 crates at Philadelphia, Pa.

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

DISPOSITION: November 29, 1951. Default decree of condemnation and destruction. On December 5, 1951, the decree was amended to provide for delivery of 1 crate of the product to the Federal Security Agency and the destruction of the remainder.