DISPOSITION: February 14, 1952. Default decree of condemnation and destruction.

18537. Adulteration of mixed nuts. U. S. v. 16 Cases * * *. (F. D. C. No. 32300. Sample No. 7666–L.)

LIBEL FILED: December 19, 1951, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 15, 1951, from San Francisco, Calif.

PRODUCT: 16 cases, each containing 24 1-pound bags, of mixed nuts at Erie, Pa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy and otherwise decomposed brazil nuts. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 14, 1952. Default decree of condemnation and destruction.

POULTRY

18538. Adulteration of dressed poultry and frozen eggs. U. S. v. Harry Tushman (Orleans Poultry Co.). Plea of nolo contendere. Fine of $750, plus costs. (F. D. C. No. 31555. Sample Nos. 24334–L, 24335–L, 24344–L, 25468–L, 37979–L.)

INFORMATION FILED: November 10, 1951, Western District of Kentucky, against Harry Tushman, trading as the Orleans Poultry Co., Owensboro, Ky.

ALLEGED SHIPMENT: On or about May 12 and 15 and June 5 and 14, 1951, from the State of Kentucky into the States of New York and Pennsylvania.

NATURE OF CHARGE: Dressed poultry. Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance by reason of the presence of decomposed birds, and of a filthy substance by reason of the presence of birds contaminated with fecal matter; Section 402 (a) (5), the article was in part the product of a diseased animal; and, Section 402 (a) (4), a portion of the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

Frozen eggs. Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: January 22, 1952. A plea of nolo contendere having been entered, the court imposed a fine of $750, plus costs.

18539. Adulteration of dressed chickens. U. S. v. 77 Dressed Chickens. (F. D. C. No. 32581. Sample No. 3291–L.)

LIBEL FILED: On or about March 5, 1952, District of Maryland.

ALLEGED SHIPMENT: On or about February 18, 1952, by Armour & Co., from Frankford, Del.

PRODUCT: 77 dressed chickens at Baltimore, Md.

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 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: March 26, 1952. Default decree of condemnation and destruction.