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 fly eggs and maggots, and of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: January 3, 1952. Default decree of condemnation and destruction.

MEAT AND POULTRY

18986. Misbranding of ham. U. S. v. Schenberg's Super Market. Plea of nolo contendere. Fine, $100. (F. D. C. No. 32751. Sample No. 33943–L.)

INFORMATION FILED: February 12, 1952, Eastern District of Missouri, against Schenberg's Super Market, a partnership, St. Louis, Mo.

ALLEGED VIOLATION: On or about October 27, 1951, the defendant received at St. Louis, Mo., a number of whole hams which had been shipped in interstate commerce from the State of Nebraska. While the product was being held for sale after shipment in interstate commerce, the defendant, on or about November 2, 1951, caused the labeling of the product to be altered and obliterated by causing a sticker to be affixed bearing a higher net weight statement than was on the package of ham when it was shipped in interstate commerce.

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 403 (a), the labeling contained false and misleading statements regarding the net weight of the product.

DISPOSITION: April 11, 1952. A plea of nolo contendere having been entered, the court fined the partnership $100.

18987. Adulteration of dressed poultry. U. S. v. 426 Boxes * * *. (F. D. C. No. 32618. Sample No. 12310–L.)

LIBEL FILED: January 23, 1952, Northern District of Ohio.

ALLEGED SHIPMENT: On or about October 23, 1951, by the Seymour Packing Co., from Greensburg, Ind.

PRODUCT: 426 boxes, each containing from 38 to 59 pounds, of dressed poultry at Cleveland, 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 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: April 10, 1952. The Seymour Packing 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 to be brought into compliance with the law, under the supervision of the Food and Drug Administration. 147 birds were rejected and denatured.

18988. Adulteration of frozen chicken gizzards. U. S. v. 23 Boxes * * *. (F. D. C. 32595. Sample No. 34218–L.)

LIBEL FILED: January 16, 1952, Western District of Tennessee.

ALLEGED SHIPMENT: On or about January 3, 1952, by Poultry Enterprises, Inc., from Gainesville, Ga.

PRODUCT: 23 5-pound boxes of frozen chicken gizzards at Memphis, Tenn.