

POULTRY

20095. Adulteration of dressed poultry. U. S. v. 1,117 Pounds, etc. (F. D. C. No. 34376. Sample No. 57364-L.)

LIBEL FILED: On or about November 25, 1952, District of Maryland.

ALLEGED SHIPMENT: On or about November 20, 1952, by Harry Friedman, from Wilmington, Del.

PRODUCT: 1,417 pounds of dressed poultry 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.

DISPOSITION: December 17, 1952. Default decree of condemnation. The court ordered that the good portion be segregated from the bad by the Food and Drug Administration; that the bad portion be destroyed by the United States marshal; and that the good portion be delivered to a charitable institution, for consumption by the inmates. As a result of the segregation operations, 17 birds were found unfit and were destroyed.

20096. Adulteration of dressed poultry. U. S. 307 * * * Pounds * * *. (F. D. C. No. 34393. Sample No. 44996-L.)

LIBEL FILED: December 1, 1952, District of Massachusetts.

ALLEGED SHIPMENT: On or about November 20, 1952, by Karinakas & Son, from Goffstown, N. H.

PRODUCT: 307 pounds of dressed poultry at Boston, Mass.

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: December 22, 1952. Default decree of condemnation and destruction.

20097. Adulteration and misbranding of frozen dressed poultry. U. S. v. 212 Cases * * *. (F. D. C. No. 34390. Sample Nos. 2516-L, 2517-L.)

LIBEL FILED: December 2, 1952, Southern District of Florida.

ALLEGED SHIPMENT: On or about October 31, 1952, by the Ocoma Foods Co., Div. of Omaha Cold Storage Co., from Omaha, Nebr.

PRODUCT: Frozen dressed poultry. 212 cases, each case containing from 10 to 14 birds in individual plastic bags, at Jacksonville, Fla.

LABEL, IN PART: (Label in bag) "Fully Dressed Takoma Brand Fowl"; (case) "Takoma Brand 12 [or "10" or "14"] Ready to Cook Fowl With Giblets."

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, Section 402 (a) (5), it was in whole or in part the product of a diseased animal.

Misbranding, Section 403 (a), the label statements "Fully Dressed" and "Ready to Cook" were false and misleading since the poultry contained intestines, parts not expected in fully dressed, ready to cook poultry.

DISPOSITION: December 30, 1952. The Omaha Cold Storage 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 the segregation of the fit from the unfit portion, under the supervision of the Federal Security Agency. 2,473 birds were trimmed and released to the claimant, and 22 birds were destroyed.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE*

20098. Adulteration and misbranding of Basical tablets. U. S. v. 7 Bottles * * *
(F. D. C. No. 34651. Sample No. 46651-L.)

LIBEL FILED: February 9, 1953, Southern District of Texas.

ALLEGED SHIPMENT: On various dates during the latter part of 1952 and the early part of 1953, by John C. Thie (TPCS Distributors), from Pasadena, Calif.

PRODUCT: 7 90-tablet bottles of Basical tablets at Houston, Tex. Examination disclosed that 3 tablets of the product contained 0.608 gram of calcium and that each tablet contained 300 U. S. P. units of vitamin D.

LABEL, IN PART: (Bottle) "Formula VI Basical 90 Tablets (6-W) Each tablet contains * * * 500 U. S. P. Units of Vitamin D * * * Three tablets supply the minimum adult daily requirements as follows: Calcium 140.66%."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted or abstracted from the article. The article was adulterated while held for sale after shipment in interstate commerce.

Misbranding, Section 403 (a), the label statement "Three tablets supply the minimum adult daily requirements as follows: Calcium 140.66%" was false and misleading since 3 tablets of the article would supply not more than 81 percent of the minimum adult daily requirement of calcium. The article was misbranded when introduced into and while in interstate commerce.

The libel alleged also that certain other products were misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 3997.

DISPOSITION: March 27, 1953. Default decree of condemnation and destruction.

20099. Misbranding of Kon-trol-R. U. S. v. 30 Dozen Bottles, etc. (F. D. C. No. 34449. Sample No. 56927-L.)

LIBEL FILED: December 24, 1952, Southern District of Ohio.

ALLEGED SHIPMENT: On or about May 28, 1952, by the Kon-trol-R Co. of America, from Indianapolis, Ind.

PRODUCT: 24 dozen ½-pint bottles and 6 dozen 1-pint bottles of Kon-trol-R at Cincinnati, Ohio, together with a number of circulars entitled "Kon-trol-R For Your Figure." Examination showed that the product was mint-flavored cider vinegar.

LABEL, IN PART: (Bottle and carton) "Kon-trol-R For Your Figure * * * A Special Blend of Pure Apple Juice Processed for Optimum Acidity, Mint Flavored * * * ."

*See also No. 20054.