

**DISPOSITION:** January 11, 1954. The Fisher Nut & Chocolate Co., St. Paul, Minn., 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 segregation of the unfit portion under the supervision of the Department of Health, Education, and Welfare. As a result of the segregation operations, 4,498 pounds of the product were found unfit and were denatured for use as animal feed.

## POULTRY

**21343. Adulteration of dressed poultry. U. S. v. Rosen Poultry Co. Plea of guilty. Fine, \$1,000. (F. D. C. No. 35757. Sample Nos. 45573-L, 50531-L.)**

**INFORMATION FILED:** May 24, 1954, District of Connecticut, against the Rosen Poultry Co., a partnership, Danielson and Willimantic, Conn.

**ALLEGED SHIPMENT:** On or about May 28 and July 21, 1953, from the State of Connecticut into the States of New York and Massachusetts.

**LABEL, IN PART:** (A number of crates) "Rose-Maid Poultry Danielson Connecticut."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of birds contaminated with fecal matter; and, Section 402 (a) (5), the article was in part the product of a diseased animal, namely, diseased poultry.

**DISPOSITION:** June 14, 1954. The defendant having entered a plea of guilty, the court fined it \$1,000.

**21344. Adulteration of dressed poultry. U. S. v. 13 Crates \* \* \*. (F. D. C. No. 36163. Sample No. 73537-L.)**

**LIBEL FILED:** December 4, 1953, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 11, 1953, by the Millsboro Poultry Plant, from Millsboro, Del.

**PRODUCT:** 13 crates, containing a total of 959 pounds, of dressed poultry 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 contaminated with dirt, fecal matter, and crop material, and it was otherwise unfit for food by reason of the presence of torn, discolored, and extensively bruised birds.

**DISPOSITION:** January 18, 1954. Default decree of condemnation and destruction. On March 2, 1954, the decree was amended to permit two crates of the product to be released to the Department of Health, Education, and Welfare.

**21345. Adulteration of dressed poultry. U. S. v. 226 Pounds \* \* \*. (F. D. C. No. 36154. Sample No. 51933-L.)**

**LIBEL FILED:** December 2, 1953, District of New Jersey.

**ALLEGED SHIPMENT:** On or about November 6, 1953, by the Burris Processing Co., from Milford, Del.

**PRODUCT:** 226 pounds of dressed poultry in 3 crates at Newark, 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 birds which were contaminated with fecal matter and crop material.

**DISPOSITION:** January 14, 1954. Default decree of condemnation and destruction.

## SPICES, FLAVORS, AND SEASONING MATERIALS

**21346. Adulteration and misbranding of black pepper and white pepper. U. S. v. Milwaukee Spice Mills, Inc., and Paul J. Schlueter. Pleas of guilty. Fine of \$1,000 against corporation and \$500 against individual. (F. D. C. No. 35187. Sample Nos. 57066-L, 57069-L, 57070-L, 57851-L, 58117-L, 58794-L, 58795-L, 62486-L, 70972-L, 73198-L.)**

**INFORMATION FILED:** October 15, 1953, Eastern District of Wisconsin, against Milwaukee Spice Mills, Inc., Milwaukee, Wis., and Paul J. Schlueter, secretary-treasurer and general manager of the corporation.

**ALLEGED SHIPMENT:** Between the approximate dates of March 25 and April 17, 1953, from the State of Wisconsin into the States of Ohio, Maryland, Michigan, Illinois, Missouri, Indiana, and Pennsylvania.

**LABEL, IN PART:** (Drum) "Pepper—Black Ground Manufactured by Milwaukee Spice Mills Milwaukee 4, Wisconsin Freshly Ground Black Pepper" and "Pepper—Muntok White Ground Manufactured by Milwaukee Spice Mills Milwaukee 4, Wisconsin Freshly Ground Muntok White Pepper."

**NATURE OF CHARGE:** Black pepper. Adulteration, Section 402 (b) (2), ground soybeans, cottonseed hulls, wheat flour, and soybean flour had been substituted in part for black pepper; and, Section 402 (b) (4), ground soybeans, cottonseed hulls, wheat flour, and soybean flour had been added to the article and mixed and packed with it so as to increase its bulk and weight and reduce its quality and strength. Misbranding, Section 403 (a), the label statements "Pepper—Black Ground" and "Freshly Ground Black Pepper" were false and misleading.

White Pepper. Adulteration, Section 402 (b) (2), wheat flour had been substituted in part for white pepper; and, Section 402 (b) (4), wheat flour had been added to the article and mixed and packed with it so as to increase its bulk and weight and reduce its quality and strength. Misbranding, Section 403 (a), the label statements "Pepper—Muntok White Ground" and "Freshly Ground Muntok White Pepper" were false and misleading.

**DISPOSITION:** March 1, 1954. The defendants having entered pleas of guilty, the court fined the corporation \$1,000 and the individual \$500.

**21347. Adulteration of yellow mustard seed and oriental mustard seed. U. S. v. 1 Storage Bin, etc. (F. D. C. No. 36306. Sample Nos. 82735-L, 82736-L.)**

**LIBEL FILED:** February 4, 1954, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about October 10, 1946, and October 7, 1953, from Great Falls, Montana.

**PRODUCT:** 1 storage bin containing approximately 10,000 pounds of yellow mustard seed, 100 100-pound bags of yellow mustard seed, and 1 storage bin containing approximately 7,500 pounds of oriental mustard seed at Carnegie, Pa., in possession of H. F. Botsford & Co.