

PRODUCT: 1,574 cases, each containing 72 8-ounce cans, of tomato sauce at Portland, Oreg.

LABEL, IN PART: "S and W Tomato Sauce Spanish Style."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: March 5, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MEAT AND POULTRY *

8970. Misbranding of canned cooked ham. U. S. v. 23 Cases of Canned Cooked Ham. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 15387. Sample No. 28323-H.)

LIBEL FILED: March 2, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about January 17, 1945, by the Metropolitan Pool Car Associates, from New York, N. Y.

PRODUCT: 23 cases, each containing 6 cans, of cooked ham at Seattle, Wash. Examination showed that the article was short-weight.

LABEL, IN PART: (Cans) "Esskay Quality Ham * * * Contents 12 lbs, 13 ozs. [or other weight marked on can] Packed By The Wm. Schluderberg-T. J. Kurdle Co. Baltimore, Maryland."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: March 8, 1945. Meats, Inc., Seattle, Wash., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

8971. Misbranding of frozen muskrats. U. S. v. 27,360 Pounds of Frozen Muskrats. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16237. Sample No. 11647-H.)

LIBEL FILED: May 23, 1945, District of Massachusetts.

ALLEGED SHIPMENT: On or about May 5, 1945, by the Southern United Ice Co., from Hammond, La.

PRODUCT: 27,360 pounds of frozen muskrats at Worcester, Mass.

NATURE OF CHARGE: Misbranding, Section 403 (b), the product was offered for sale under the name of another food, rabbit; Section 403 (e) (1), it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 403 (i) (1), the label failed to bear the common or usual name of the food.

DISPOSITION: July 9, 1945. Manuel Sigel, trading as the New Model Market, Worcester, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be converted into animal feed, under the supervision of the Food and Drug Administration.

8972. Alleged adulteration of dressed poultry. U. S. v. Wilson and Co. Plea of not guilty. Tried to a jury. Verdict of not guilty. (F. D. C. No. 9692. Sample No. 9047-F.)

INFORMATION FILED: On September 20, 1943, in the District of Kansas, against Wilson and Co., a corporation, Wichita, Kans.

ALLEGED SHIPMENT: On or about March 17, 1943, from the State of Kansas into the State of Texas.

LABEL, IN PART: "Wilson's Certified Poultry."

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 rodents, rodent nests, rodent pellets, and rodent-gnawed poultry.

DISPOSITION: March 15, 1944. The defendant having pleaded not guilty, the case came on for trial before a jury. The following facts were stipulated by the counsel for the Government and the defendant:

"1. That the defendant, Wilson & Company, is a corporation duly organized and existing under and by virtue of law.

* See also No. 8861.