

PRODUCT: 169 25-pound cartons of walnut meats at Minneapolis, Minn.

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 insects, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 9, 1948. The Whittier Walnut Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Federal Security Agency.

POULTRY

12989. Adulteration of poultry. U. S. v. 1 Drum * * *. (F. D. C. No. 24463. Sample No. 22460-K.)

LABEL FILED: March 1, 1948, Northern District of Alabama.

ALLEGED SHIPMENT: On or about February 13, 1948, by the Smith Poultry Co., Inc., Canton, Ga.

PRODUCT: 1 drum containing 34 birds weighing approximately 51 pounds at Birmingham, Ala.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of bruises and mutilations; and, Section 402 (a) (5), it was in whole or in part the product of a diseased animal.

DISPOSITION: April 12, 1948. Default decree of condemnation and destruction.

12990. Adulteration of dressed turkeys. U. S. v. 200 Barrels * * *. (F. D. C. No. 21398. Sample No. 67116-H.)

LABEL FILED: On or about November 8, 1946, District of Kansas.

ALLEGED SHIPMENT: On or about August 12, 1946, by the Holbrook Turkey Growers Coop. Association, from Cheraw, Colo.

PRODUCT: 200 barrels, weighing 32,600 pounds gross, of dressed turkeys at Topeka, Kans.

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal.

DISPOSITION: November 18, 1947. Pursuant to stipulation by the parties, the court entered an order providing that 39 head of the tom turkeys in barrels marked "B" Grade were to be totally destroyed; that 664 hen turkeys in barrels marked class "B" were to be processed and canned under the supervision of a veterinary of the United States Department of Agriculture, to eliminate all diseased and unfit birds; and that the remaining turkeys, about 1,900 head, were to be released to the claimant unconditionally.

SPICES, FLAVORS, AND SEASONING MATERIALS

12991. Adulteration of imitation pepper and sausage binder and adulteration and misbranding of meat extender. U. S. v. Basic Food Materials, Inc., and Ray F. Beerend. Pleas of guilty. Each defendant fined \$2,000 and costs; fine of corporate defendant suspended. (F. D. C. No. 20970. Sample Nos. 2784-H, 2798-H, 16123-H, 21062-H, 28778-H, 36376-H.)

INFORMATION FILED: December 10, 1946, Northern District of Ohio, against Basic Food Materials, Inc., Cleveland, Ohio, and Ray F. Beerend, president.

ALLEGED SHIPMENT: Between the approximate dates of July 17 and September 11, 1945, from the State of Ohio into the States of Maryland, Virginia, Washington, Missouri, and Michigan.

LABEL, IN PART: "Chef's Delite Imitation Pepper," "Basic Food Materials Whe-Co Binder," or "Basic Food Materials Chef's Delite Meat Extender."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence (in the imitation pepper) of insects, larvae, insect fragments, mites, rodent hair, and hair resembling rodent hair; (in the sausage binder) of live infestation and insect filth in the form of live sawtooth grain beetles, live larvae, insect larvae or heads, and insect or worm fragments; and (in the meat extender) of larvae, beetle and larvae heads, capsules and cast skins, insect fragments, and hair resembling

rodent hair. Further adulteration, Section 402 (a) (4), the products had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth; and, Section 402 (b) (1), valuable constituents, whole wheat cereal and dextrose, had been omitted from one lot of the meat extender.

Misbranding (meat extender), Section 403 (a), the label statements, "Meat Extender" and "for using in Hamburgers, Meat Loaves, etc.," and the statements in the circular accompanying one shipment, "For Delicious and Wholesome Hamburger Patties, Meat Loaves, etc., use * * * Meat Extender (Ground Meat Mix)" and "Meat Extender (Ground Meat Mix)," were false and misleading. These statements represented and suggested that the article was a ground meat product and could be used to extend or increase the quantity of meat when used in hamburgers, meat loaves, etc. The article was not a ground meat product, but consisted principally of soy flour and contained no meat. Further misbranding, Section 403 (i) (2), one shipment of the article failed to bear a label containing the common or usual name of each of its ingredients.

DISPOSITION: March 25, 1947. Pleas of guilty having been entered, the corporation and the individual defendant were each fined \$2,000 and costs. The fine imposed upon the corporation was suspended.

12992. Adulteration and misbranding of black pepper. U. S. v. Ted A. Ginsberg (The Food Center). Plea of guilty. Fine, \$100 and costs. (F. D. C. No. 23312. Sample No. 40392-H.)

INFORMATION FILED: September 3, 1947, Southern District of Iowa, against Ted A. Ginsberg, an individual, trading as The Food Center, Keokuk, Iowa.

ALLEGED SHIPMENT: On or about August 11, 1946, from the State of Iowa into the State of Missouri.

LABEL, IN PART: (Card) "Damore Brand Pure Black Pepper. 10¢ Packed by Damore Spice Company Nevada 3502 Chicago 24, Illinois."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), starchy material had been substituted in part for black pepper; and, Section 402 (b) (4), starchy material had been added to the product so as to increase its bulk or weight and reduce its quality and strength.

Misbranding, Section 403 (a), the label statement "Pure Black Pepper" was false and misleading.

DISPOSITION: November 11, 1947. A plea of guilty having been entered, the defendant was fined \$100 and costs.

12993. Adulteration of black pepper. U. S. v. 74 Cans, etc. (F. D. C. No. 23968. Sample Nos. 36318-K, 36508-K.)

LABEL FILED: November 24, 1947, Western District of Washington.

ALLEGED SHIPMENT: On or about September 16, 1947, by R. C. Pauli & Sons, from San Francisco, Calif.

PRODUCT: 74 1-pound cans, 22 2½-pound cans, and 9 5-pound tubes, of black pepper at Everett, Wash.

LABEL, IN PART: "Bargreen's Pure Ground Black Pepper."

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 insect fragments and rodent hairs.

DISPOSITION: March 18, 1948. Default decree of condemnation and destruction.

12994. Adulteration of chili pepper. U. S. v. 15 Barrels * * *. (F. D. C. No. 24698. Sample No. 31326-K.)

LABEL FILED: April 1, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about February 5, 1948, by Gonzales & Blanco, from Los Angeles, Calif.

PRODUCT: 15 barrels, each containing 230 pounds, of chili pepper at New York, N. Y.

LABEL, IN PART: "A A California Chili Pepper."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of moldy chili pepper.

DISPOSITION: May 5, 1948. Default decree of condemnation and destruction.