

DISPOSITION: May 25, 1951. Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as animal feed.

MEAT AND POULTRY

17343. Adulteration of frozen rabbits. U. S. v. 23 Crates * * *. (F. D. C. No. 30415. Sample No. 24291-L.)

LIBEL FILED: February 5, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about January 5, 1951, by J. W. Bailey, Zenda, Kans.

PRODUCT: 23 crates, containing approximately 1,600 pounds, of frozen rabbits at New York, N. Y.

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 fecal matter and hairs.

DISPOSITION: February 23, 1951. Steers & Menke, Inc., New York, N. Y., 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 disposed of in compliance with the law, under the supervision of the Food and Drug Administration. 185 pounds of the product were rejected and delivered to a rendering plant.

17344. Adulteration of dressed poultry. U. S. v. 302 Boxes * * *. (F. D. C. No. 30459. Sample No. 89875-K.)

LIBEL FILED: December 28, 1950, District of Nebraska.

ALLEGED SHIPMENT: On or about December 10, 1950, by the Canton Produce Co., Canton, S. Dak.

PRODUCT: 302 50-pound boxes of dressed poultry at York, Nebr.

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 rodent excreta; and, Section 402 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 16, 1951. Lipsman-Fulkerson & 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, conditioned that any diseased poultry be destroyed and that the remainder be cleaned by thorough scrubbing, under the supervision of the Food and Drug Administration. 635 boxes of the product were seized because of the intermingling of the 302 boxes with another lot, and 24 birds were found to be diseased and were destroyed.

17345. Adulteration of dressed turkeys. U. S. v. 3,000 Pounds * * *. (F. D. C. No. 30330. Sample No. 73155-K.)

LIBEL FILED: December 11, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about November 9, 1950, by C. A. Swanson & Sons, from Omaha, Nebr.

PRODUCT: 3,000 pounds of dressed turkeys, in 38 crates, at New York, N. Y.

LABEL, IN PART: (Crate) "Golden Brest Brand Turkeys Packed By Central Cooperative Turkey Producers, Ellsworth, Iowa."

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 excreta; and, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal or of an animal which had died otherwise than by slaughter.

DISPOSITION: February 6, 1951. C. A. Swanson & Sons, 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 salvaging by removing all portions of the birds that were contaminated with filth and by segregating and destroying all diseased and otherwise unfit birds, under the supervision of the Food and Drug Administration. Of the 38 crates of birds which were seized, 26 crates were released as good.

NUTS

17346. Adulteration of unshelled mixed nuts. U. S. v. 79 Cases * * *
(F. D. C. No. 30220. Sample No. 90662-K.)

LIBEL FILED: December 20, 1950, Western District of Washington.

ALLEGED SHIPMENT: On or about December 2, 1950, by Hudson-Duncan & Co., from Portland, Oreg.

PRODUCT: 79 cases, each containing 24 1-pound bags, of unshelled mixed nuts at Seattle, Wash.

LABEL, IN PART: "DeMartini Mixed Nuts Walnuts, Almonds, Brazils, Pecans, Filberts."

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 insect-infested nuts, and of a decomposed substance by reason of the presence of moldy nuts.

DISPOSITION: February 9, 1951. Hudson House, Inc., formerly Hudson-Duncan & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released for segregation and sorting of the fit nuts from the unfit, under the supervision of the Food and Drug Administration. 2,166 pounds of nuts were seized, and 966 pounds of this amount were found to be bad and were destroyed.

OLEOMARGARINE

17347. Adulteration of oleomargarine. U. S. v. 78 Cartons * * * (F. D. C. No. 30702. Sample No. 27922-L.)

LIBEL FILED: March 16, 1951, Northern District of California.

ALLEGED SHIPMENT: On or about November 16 and December 30, 1950, from Cincinnati, Ohio.

PRODUCT: 78 cartons, each containing 24 1-pound packages, of oleomargarine at Oakland, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of mold. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 29, 1951. Default decree of condemnation and destruction.