

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "Pheasantettes" was false and misleading since the birds were not pheasants; Sections 403 (e) (1) and (2), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and 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: November 16, 1951. The American Stores Co., claimant, having admitted the allegations in the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled, under the supervision of the Federal Security Agency.

18743. Adulteration of frozen turkeys. U. S. v. 120 Boxes * * *. (F. D. C. No. 30469. Sample No. 92283-K.)

LIBEL FILED: January 5, 1951, Northern District of New York.

ALLEGED SHIPMENT: On or about December 1, 1950, by Roy O. Frantz, from Pueblo, Colo.

PRODUCT: 120 boxes each containing from 3 to 8 frozen turkeys at West Albany, N. Y.

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

DISPOSITION: August 25, 1951. Roy O. Frantz, 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 brought into compliance with the law by a thorough scrubbing and rinsing of the turkeys and the removing of all unfit parts, under the supervision of the Federal Security Agency.

18744. Adulteration of chicken giblets. U. S. v. 49 Bags * * * (and 1 other seizure action). (F. D. C. Nos. 32085, 32086. Sample Nos. 12541-L, 12682-L.)

LIBEL FILED: November 7 and 8, 1951, Southern District of Ohio.

ALLEGED SHIPMENT: On or about November 5, 1951, by Firestone & Co., from Troutville, Va.

PRODUCT: Chicken giblets. 49 bags at Columbus, Ohio, and 184 bags at Cincinnati, Ohio. Each bag contained from 25 to 35 sets of chicken giblets (heart, liver, and gizzard).

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 feathers, dirt, fecal material, and miscellaneous debris.

DISPOSITION: December 10, 1951, and January 10, 1952. Default decree of destruction.

NUTS

18745. Adulteration of unshelled brazil nuts. U. S. v. 56 Bags * * *. (F. D. C. No. 32141. Sample No. 35257-L.)

LIBEL FILED: November 29, 1951, District of Minnesota.

ALLEGED SHIPMENT: On or about November 24, 1951, by the Winston & Newell Co., from Aberdeen, S. Dak.

PRODUCT: 56 100-pound bags of unshelled brazil nuts at Minneapolis, Minn.

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 moldy, rancid, and otherwise decomposed nuts.

DISPOSITION: November 29, 1951. The Tew-Harper Co. 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 brought into compliance with the law, under the supervision of the Food and Drug Administration. 4,000 pounds of the product were salvaged and the remainder destroyed.

18746. Adulteration of unshelled pecans. U. S. v. 40 Bags * * * (and 3 other seizure actions). (F. D. C. Nos. 28343, 28355, 28379, 28380, 28562. Sample Nos. 55729-K, 55734-K to 55738-K, incl., 55744-K.)

LIBELS FILED: Between the approximate dates of November 21 and December 15, 1949, Western District of Missouri.

ALLEGED SHIPMENT: On or about September 30 and October 3 and 14, 1949, by the Consolidated Pecan Sales Co., from Albany, Ga.

PRODUCT: 132 100-pound bags, 143 50-pound bags, and 939 1-pound bags of unshelled pecans at Kansas City, Mo.

LABEL, IN PART: "King Cole Paper Shell Pecans."

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, rancid, and otherwise decomposed pecans, and was otherwise unfit for food by reason of the presence of shriveled pecans.

DISPOSITION: December 8 and 22, 1949. The Consolidated Pecan Sales Co., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The good portion of the product was segregated from the unfit, with the result that 1,765 pounds were found to be unfit and were destroyed.

SPICES, FLAVORS, AND SEASONING MATERIALS

18747. Adulteration of whole caraway seed, whole mixed spice, whole mixed pickle spice, and ground coriander seed. U. S. v. New Orleans Import Co., Ltd., and Ronalde C. McClure. Pleas of nolo contendere. Fine of \$400 against firm. Imposition of sentence against individual defendant suspended; individual placed on probation for 1 year. (F. D. C. No. 31121. Sample Nos. 21629-L to 21631-L, incl., 21638-L.)

INFORMATION FILED: August 29, 1951, Eastern District of Louisiana, against the New Orleans Import Co., Ltd., a corporation, New Orleans, La., and Ronalde C. McClure, president of the corporation.

ALLEGED SHIPMENT: Between the approximate dates of November 6, 1950, and February 21, 1951, from the State of Louisiana into the States of Alabama and Mississippi.

LABEL, IN PART: "Rex Spices Whole Caraway Seed," "Rex-Brand Whole-Mixed Spice," "Rex-Brand Whole-Mixed Pickle Spice," and "Rex-Brand Pure Ground Coriander."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of whole insects, insect