

1. There were holes in some of the window screens permitting flies to enter.
2. There was improper drainage of water in the vicinity of the plant.
3. There was lack of adequate toilet facilities for employees.
4. There was a lack of washing facilities for employees.
5. Outside privies were maintained.
6. Offal was in open containers.

"Repeated inspections and warnings had not caused the defendant to correct the insanitary conditions.

"After the complaint was filed, the defendant started to correct the insanitary conditions complained of, and on July 12, 1952, the date of the hearing, considerable progress had been made toward correcting the same.

"In view of the defendant's efforts and progress toward correcting the insanitary conditions, the Court withheld judgment, directing that the insanitary conditions be promptly corrected and that inspection and supervision continue.

"The latest report from the Chief Inspector of the Atlanta District of the Food and Drug Administration indicates that the insanitary conditions have been now almost completely corrected.

"The grant of the injunction as prayed is authorized, but not required.

#### JUDGMENT

"The defendant is directed to promptly see that all screens are properly fitted. The floor of the holding room must be promptly repaired and the odor eliminated. The drain to the one lavatory must be repaired to carry the waste water away from the premises and adequate toilet paper must be supplied at all times.

"Plaintiff may within twenty days file a motion to re-open the case if the above directions are not complied with.

"An injunction is denied.

"The plaintiff shall have and recover of the defendant the costs of this action."

19841. Adulteration of dressed poultry. U. S. v. 1,147 Pounds \* \* \*. (F. D. C. No. 33502. Sample No. 26321-L.)

**LIBEL FILED:** On or about August 11, 1952, District of New Jersey.

**ALLEGED SHIPMENT:** On or about July 23, 1952, by the Ace Poultry Co., from Wilmington, Del.

**PRODUCT:** 1,147 pounds of dressed poultry in 18 crates at Camden, N. J.

**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 birds which were contaminated with fecal matter, and of a decomposed substance by reason of the presence of decomposed birds; and, Section 402 (a) (5), it was in whole or in part the product of a diseased animal.

**DISPOSITION:** October 24, 1952. Default decree of condemnation. The court ordered that the Food and Drug Administration be permitted to take 4 crates of the product and that the remainder be destroyed.

19842. Adulteration of dressed poultry. U. S. v. 1,022 Pounds \* \* \*. (F. D. C. No. 33520. Sample No. 49514-L.)

**LIBEL FILED:** On or about August 15, 1952, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 29, 1952, by the Small Bros. Poultry Farms, from Lakewood, N. J.

**PRODUCT:** 1,022 pounds of dressed poultry in 14 crates 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 birds