

not printed or otherwise set forth on the menu at the stated public eating place.

Colored oleomargarine, or colored margarine, was served by the defendant in further violation of Section 407 (c), in that the article was served at a public eating place, namely, Al's Lunch, and was a separate serving which (1) did not bear, and was not accompanied by, labeling identifying it as oleomargarine, or margarine, or (2), was not triangular in shape.

**DISPOSITION:** April 22, 1953. The defendant having entered a plea of guilty, the court fined him \$10.

## POULTRY

**20491. Adulteration of dressed poultry. U. S. v. Dodge-Freedman Poultry Co. and Harry Freedman. Plea of guilty by company and plea of nolo contendere by individual. Fine of \$300 against company and \$100 against individual. (F. D. C. No. 34365. Sample No. 49539-L.)**

**INFORMATION FILED:** April 22, 1953, District of New Hampshire, against the Dodge-Freedman Poultry Co., a corporation, Concord, N. H., and Harry Freedman, president and treasurer of the corporation.

**ALLEGED SHIPMENT:** On or about October 29, 1952, from the State of New Hampshire into the State of New York.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of birds contaminated with fecal matter; Section 402 (a) (4), the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth; and, Section 402 (a) (5), the article was in part the product of a diseased animal, namely, diseased poultry.

**DISPOSITION:** June 5, 1953. The corporation having entered a plea of guilty and the individual a plea of nolo contendere, the court fined the corporation \$300 and the individual \$100.

**20492. Adulteration of dressed poultry. U. S. v. Western Star Mill Co. (C. K. Packing Co.), and Earnest A. Jones. Pleas of nolo contendere. Each defendant fined \$100. (F. D. C. No. 34832. Sample Nos. 153-L, 15845-L.)**

**INFORMATION FILED:** May 25, 1953, Western District of Oklahoma, against the Western Star Mill Co., a corporation, trading under the name of the C. K. Packing Co., Oklahoma City, Okla., and against Earnest A. Jones, plant manager for the corporation.

**ALLEGED SHIPMENT:** On or about October 7 and 30, 1952, from the State of Oklahoma into the State of Kansas.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (4), the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** June 5, 1953. The defendants having entered pleas of nolo contendere, the court fined each defendant \$100.

## SPICES, FLAVORS, AND SEASONING MATERIALS

**20493. Adulteration of dried chili pepper pods. U. S. v. 9 Bags \* \* \*. (F. D. C. No. 34781. Sample No. 48742-L.)**

**LABEL FILED:** March 28, 1953, District of Minnesota.

**ALLEGED SHIPMENT:** On or about March 11, 1952, from Florence, S. C.

**PRODUCT:** 9 bags containing from 95 to 135 pounds of dried chili pepper pods at Winona, 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. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** May 22, 1953. Default decree of destruction.

**20494. Adulteration of chilies. U. S. v. 117 Bags \* \* \*. (F. D. C. No. 34964. Sample No. 23301-L.)**

**LIBEL FILED:** April 21, 1953, Southern District of New York.

**ALLEGED SHIPMENT:** On or about January 27, 1950, from Istanbul, Turkey.

**PRODUCT:** 117 55-pound bags of chilies at New York, N. Y., in the possession of William M. Allison & Co.

**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), it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** June 15, 1953. Van Loan & Co., 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 for segregation of the unfit portion under the supervision of the Department of Health, Education, and Welfare. As a result of the segregation operations, 3,019 pounds of the product were found unfit and were destroyed.

**20495. Adulteration of chilies. U. S. v. 46 Bags \* \* \*. (F. D. C. No. 34967. Sample No. 23300-L.)**

**LIBEL FILED:** April 24, 1953, Southern District of New York.

**ALLEGED SHIPMENT:** On or about February 4, 1950, from Turkey.

**PRODUCT:** 46 88-pound bags of chilies at New York, N. Y., in the possession of William M. Allison & Co.

**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 rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** June 15, 1953. Van Loan & Co., 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 for the purpose of segregating and destroying the unfit portion under the supervision of the Department of Health, Education, and Welfare. 906 pounds were found unfit and were destroyed.

**20496. Adulteration and misbranding of black pepper. U. S. v. 1 Drum \* \* \*. (F. D. C. No. 34738. Sample No. 54492-L.)**

**LIBEL FILED:** March 4, 1953, Eastern District of Wisconsin.

**ALLEGED SHIPMENT:** On or about January 21, 1953, from Chicago, Ill., by Kearns & Smith Spice Co., Inc.