

DISPOSITION: January 7, 1954. The defendant having entered a plea of guilty, the court fined it \$500.

20788. Adulteration and misbranding of chili peppers. U. S. v. 163 Bags, etc.
(F. D. C. Nos. 34991, 34992. Sample Nos. 39767-L, 39768-L.)

LIBEL FILED: April 13, 1953, Southern District of California.

ALLEGED SHIPMENT: On or about February 9, 1953, from Mexico.

PRODUCT: 287 75-pound bags of unground chili peppers and 12 75-pound bags of ground chili peppers at Los Angeles and Santa Ana, Calif.

RESULTS OF INVESTIGATION: The article was a product of Africa. It previously having been offered for entry into the United States and found to be adulterated, it was exported to Mexico where it was repacked and reshipped to the United States.

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-infested chili peppers, and of a decomposed substance by reason of the presence of moldy chili peppers.

Misbranding, Section 403 (a), the label statement "Product of Mexico" was false and misleading as applied to the article, which was not produced in Mexico.

DISPOSITION: February 5, 1954. Herbert Hischmoeller, Los Angeles, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

20789. Adulteration of chili pepper. U. S. v. 25 Drums * * *. (F. D. C. No. 34997. Sample No. 40344-L.)

LIBEL FILED: April 15, 1953, Southern District of Ohio.

ALLEGED SHIPMENT: On or about March 6, 1953, by McClintock Stern & Co., from Los Angeles, Calif.

PRODUCT: 25 220-pound drums of chili pepper at Cincinnati, Ohio.

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 hair fragments.

DISPOSITION: October 23, 1953. Default decree of condemnation and destruction.

20790. Adulteration of chili peppers. U. S. v. 51 Bags * * *. (F. D. C. No. 34965. Sample No. 23302-L.)

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

ALLEGED SHIPMENT: On or about January 21, 1953, from Lagos, Nigeria.

PRODUCT: 51 90-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), 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: May 29, 1953. William M. Allison & 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 for segregation and