

4462. Adulteration of poultry. U. S. v. 34 Barrels of poultry. Default decree of condemnation. Product ordered sold on condition that it be disposed of in compliance with the law. (F. D. C. No. 8416. Sample Nos. 94078-E, 5741-E.)

On September 23, 1942, the United States attorney for the Eastern District of Missouri filed a libel against 34 barrels of poultry at St. Louis, Mo., alleging that the article had been transported in interstate commerce from the Seymour Packing Co., Topeka, Kans., on or about April 22, 1942; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance, and in that it was wholly or in part the product of diseased animals or of animals which had died otherwise than by slaughter. The article was labeled in part: "Packed by Seymour Packing Co. Topeka Kansas."

On November 5, 1942, no claimant having appeared, judgment of condemnation was entered and the marshal was ordered to sell the product to the highest bidder after having taken precautions to insure that it would not be disposed of in violation of the law. It was disposed of for fertilizer.

4463. Adulteration of dressed poultry. U. S. v. 1,070 Boxes and 1,086 Boxes of Dressed Poultry. Decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 8867, 8868. Sample No. 10425-F.)

On November 13, 1942, the United States attorney for the Northern District of California filed a libel against 1,086 boxes of dressed poultry. On November 16, 1942, the libel was amended to include an additional 1,070 boxes of poultry. It was alleged in the amended libel that the article had been shipped in interstate commerce on or about September 16, 1942, by the Tennessee Egg Co. from Atlanta Ga., and that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: "Morning Glory Brand."

On November 28, 1942, the Jerpe Commission Co., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be brought into conformity with the law under the supervision of the Food and Drug Administration.

4464. Adulteration of chickens. U. S. v. 2 Barrels of Dressed Chickens. Consent decree of condemnation and destruction. (F. D. C. No. 9010. Sample No. 2341-F.)

On November 25, 1942, the United States attorney for the Northern District of Illinois filed a libel against 2 barrels of chickens at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about November 16, 1942, from Granada, Minn., by Mrs. Harlan Gronewald; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On December 2, 1942, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

4465. Adulteration of raw chicken fat. U. S. v. 3 Barrels and 4 Tubs of Raw Chicken Fat. Default decrees of condemnation and destruction. Product rendered into fat for war purposes. (F. D. C. Nos. 8933, 8971, 8988, 8999, 9000. Sample Nos. 19602-F, 19604-F to 19606-F incl., 19608-F, 19609-F.)

Fecal matter, sections of intestines containing fecal matter, and other filth were found in samples of this product. Portions also were decomposed and putrid.

On November 27, December 5, 10, and 11, 1942, the United States attorney for the District of Massachusetts, filed libels against 3 barrels and 4 tubs containing a total of approximately 403 pounds of raw chicken fat at Boston, Mass., alleging that the article had been shipped in interstate commerce in the period from on or about November 18 to on or about December 1, 1942, by the First National Stores from Stamford and Danbury, Conn., White Plains, N. Y., Waterville, Maine, and Portsmouth, N. H.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that portions also consisted in whole or in part of a decomposed substance.

On December 4, 1942, and February 1, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed. It was delivered by the marshal to a rendering plant for conversion into fats for war uses.

4466. Adulteration of veal. U. S. v. 30,000 Pounds of Veal. Decree of condemnation. Product ordered released under bond for salvaging good portion. (F. D. C. No. 8113. Sample No. 9134-F.)

Examination of this product showed that it was in part discolored, slimy, moldy, and rotten.

On or about August 18, 1942, the United States attorney for the Southern District of Mississippi filed a libel against 30,000 pounds of veal at Biloxi, Miss. alleging that the article had been shipped in interstate commerce on or about August 3, 1942, by the Emmart Packing Co. from Louisville, Ky.; and charging that it was adulterated in that it consisted wholly or in part of a filthy and decomposed substance and was otherwise unfit for food.

On September 29, 1942, the Emmart Packing Co., claimant, having admitted the allegations of the libel to the extent only that the meat was subject to condemnation at the time it was inspected at Biloxi, and having petitioned release of the product for salvaging as much as was possible for human consumption or for fats and oils, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration and the Bureau of Animal Industry. The product was salvaged by removing the outer layer of fat, bone, fascia, etc., and the good portion was manufactured into sausage.

NUTS AND NUT PRODUCTS

4467. Adulteration of Brazil nuts. U. S. v. 12,000 Pounds and 35,000 Pounds of Brazil Nuts. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of the unfit portion. (F. D. C. No. 8847. Sample Nos. 18127-F, 18128-F.)

Examination of this product showed the presence of moldy, decomposed, and wormy nuts.

On November 10, 1942, the United States attorney for the Southern District of New York filed a libel against a total of 47,000 pounds of Brazil nuts at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about June 30, 1942, by B. Levy & Cia from Manaos, Brazil; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance.

On November 30, 1942, Wm. A. Camp Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation of the fit portion from the unfit portion and destruction of the latter under the supervision of the Food and Drug Administration.

4468. Adulteration of Brazil nuts. U. S. v. 536 Bags of Brazil Nuts. Consent decree of condemnation. Product ordered released under bond for segregation. (F. D. C. No. 8849. Sample No. 18000-F.)

This product was in part moldy, rancid and decomposed.

On November 21, 1942, the United States attorney for the Eastern District of New York filed a libel against 536 100-pound bags of Brazil nuts at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about June 26, 1942, by I. J. Benzecry from Manaos, Brazil; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Holly Brand Large Washed Brazils."

On November 20, 1942, William A. Higgins & Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation of the fit portion from the unfit portion and destruction of the latter under the supervision of the Food and Drug Administration.

4469. Adulteration of coconut. U. S. v. 48 Bags of Coconut. Default decree of condemnation and destruction. (F. D. C. No. 8935. Sample No. 18746-F.)

This product contained mold, indicating the presence of decomposed material, and was rancid.

On December 2, 1942, the United States attorney for the Southern District of New York filed a libel against 48 75-pound bags of coconut at New York City, N. Y., alleging that the article had been shipped in interstate commerce on or about October 23, 1942, by Peter Paul, Inc., from Naugatuck, Conn.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Baker's Gem Coconut Medium Desiccated."

On December 24, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.