

4876. Adulteration of dressed poultry. U. S. v. Benjamin Weiner and Julius Weiner (Marshall Produce Co.). Pleas of guilty. Each defendant fined \$500. (F. D. C. No. 7212. Sample Nos. 31246-E, 31247-E.)

This case was based upon interstate shipments of poultry, samples of which were found to be diseased, emaciated, bruised, and discolored in the abdominal walls and thorax.

On September 18, 1942, the grand jurors of the United States in and for the District of Minnesota presented an indictment against Benjamin Weiner and Julius Weiner, trading as the Marshall Produce Co. at Marshall, Minn., charging shipment within the period from on or about November 30, 1940, to February 6, 1941, from the State of Minnesota into the State of Illinois of quantities of poultry that was adulterated in that it was in whole or in part the product of diseased animals.

The indictment charged further that prior to such shipment, on or about November 16, 1940, the defendants had been convicted in the District Court for the District of Minnesota of a similar offense in the shipment from the State of Minnesota into the State of New York on or about August 19, 1939, of a quantity of poultry which was adulterated.

On February 4, 1943, pleas of guilty having been entered, the court imposed a fine of \$500 against each defendant.

4877. Adulteration of poultry. U. S. v. Jerpe Commission Co., Inc. Plea of nolo contendere. Fine, \$100 and costs. (F. D. C. No. 7751. Sample No. 22502-F.)

On December 11, 1942, the United States attorney for the District of Nebraska filed an information against the Jerpe Commission Co., Inc., Omaha, Nebr., alleging shipment on or about June 27, 1942, from the State of Nebraska into the State of Pennsylvania of a quantity of poultry that was adulterated in that it was in whole or in part the product of diseased animals. The article was labeled in part: "(T) Fowl," "(T) Springs," or "(T) Springs Turkeys Pearl Brand."

On March 12, 1943, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$100 and costs.

4878. Adulteration of poultry. U. S. v. The Seymour Packing Co. Plea of guilty. Fine, \$25 and costs. (F. D. C. No. 8787. Sample Nos. 94078-E, 5741-F.)

On March 25, 1943, the United States attorney for the District of Kansas filed an information against the Seymour Packing Co., a corporation, Topeka, Kans., alleging delivery for shipment on or about April 21, 1942, from the State of Kansas into the State of Missouri of a quantity of poultry that was adulterated in that it consisted in whole or in part of a decomposed substance, and in that it was in whole or in part the product of diseased animals.

On April 12, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$25 and costs.

4879. Adulteration of poultry. U. S. v. William Boyd Pruitt (Pruitt Produce Co.). Plea of guilty. Fine, \$50. (F. D. C. No. 7240. Sample No. 62451-E.)

On June 26, 1942, the United States attorney for the Eastern District of Oklahoma filed an information against William Boyd Pruitt, trading as Pruitt Produce Co., Muskogee, Okla., alleging shipment on or about December 31, 1941, from the State of Oklahoma into the State of Illinois of a quantity of poultry that was adulterated (1) in that it consisted in whole or in part of a putrid and decomposed substance; (2) in that it was in part the product of diseased animals; and (3) in that it was in part the product of diseased animals that had died otherwise than by slaughter.

On January 30, 1943, the defendant having entered a plea of guilty, the court imposed a fine of \$50.

4880. Adulteration of poultry. U. S. v. 287 Boxes and 513 Boxes of Poultry. Consent decrees of condemnation. Product ordered released under bond for segregating and denaturing the unfit portion. (F. D. C. Nos. 9510, 9573. Sample Nos. 22022-F, 22024-F to 22026-F, incl.)

On March 8 and 16, 1943, the United States attorney for the Western District of Pennsylvania filed libels against a total of 800 boxes of poultry, each box containing 12 birds, at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce within the period from on or about September 12, 1942, to February 9, 1943, by the F. M. Stamper Co. from St. Louis and Moberly, Mo.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance, and that it was in whole or in part the product of diseased animals.