

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in part the product of a diseased animal by reason of the presence in the article of birds affected with tumors, and birds that were eggbound and had accessory ascites.

DISPOSITION: April 22, 1947. A plea of guilty having been entered, the court imposed a fine of \$100 and costs.

11268. Adulteration of poultry. U. S. v. 108 Boxes * * *. (F. D. C. No. 19463. Sample No. 154-H.)

LIBEL FILED: April 1, 1946, Southern District of Florida.

ALLEGED SHIPMENT: On or about March 13, 1946, by the Lawson Poultry Co., from Canton, Ga.

PRODUCT: 108 boxes, each containing 64 pounds, of poultry at Tampa, Fla. A portion of the poultry was decomposed.

LABEL, IN PART: "Cherokee Brand Gainesville Area Top Quality."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: April 6, 1946. R. G. Lawson, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the separation of the fit from the unfit and the destruction of the latter, under the supervision of the Food and Drug Administration.

11269. Adulteration of frozen chickens. U. S. v. 106 Barrels * * *. (F. D. C. No. 20332. Sample No. 35529-H.)

LIBEL FILED: June 17, 1946, Western District of Tennessee.

ALLEGED SHIPMENT: On or about April 24, 1946, by the National Produce Co., from Memphis, Tenn., to Camden, N. J. The shipment was rejected and returned on or about May 14, 1946.

PRODUCT: 106 barrels of frozen chickens at Memphis, Tenn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: June 24, 1946. The National Produce Co., Memphis, Tenn., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for evisceration and segregation of the fit portion, under the supervision of the Food and Drug Administration. The unfit portion was denatured.

11270. Misbranding of sandwich chicken. U. S. v. 51 Cases * * *. (F. D. C. No. 19799. Sample No. 59214-H.)

LIBEL FILED: April 26, 1946, Southern District of California.

ALLEGED SHIPMENT: On or about March 9, 1946, by the Mione Packing Co., Ltd., from McMinnville, Oreg.

PRODUCT: 51 cases, each containing 24 jars, of sandwich chicken at Los Angeles, Calif. Examination disclosed that the product consisted essentially of broth, ground chicken, cracked wheat, and rolled oats, and that, in addition, it was short weight.

LABEL, IN PART: (Jar) "Mione Brand Sandwich Chicken Contents: Chicken, Broth, Cereal, Salt and Spice Net Wt. 3½ Oz."

NATURE OF CHARGE: Misbranding, Section 403 (a), the designation on the label "Sandwich Chicken" was misleading as applied to an article consisting essentially of broth, ground chicken, cracked wheat, and rolled oats; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: May 22, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

11271. Adulteration of frozen turkeys. U. S. v. 131 Boxes * * *. (F. D. C. No. 18621. Sample No. 1138-H.)

LIBEL FILED: December 3, 1945, Western District of North Carolina.