

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of rodent urine; and, Section 402 (a) (4), they had been held under insanitary conditions whereby they may have become contaminated with filth. The products were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 11, 1950. Default decrees of condemnation. The court ordered that the products be delivered to a Federal institution, for use as animal feed.

16593. Adulteration of canned corn. U. S. v. 36 Cases * * *. F. D. C. No. 29302. Sample No. 75157-K.)

LIBEL FILED: On or about August 1, 1950, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about April 5, 1950, by W. A. Long & Sons, from Monticello, Iowa.

PRODUCT: 36 cases, each containing 24 1-pound, 4-ounce cans, of sweet corn at Baton Rouge, La.

LABEL, IN PART: "Our Value Brand Cream Style White Sweet Corn."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of excess salt rendering it unpalatable.

DISPOSITION: August 30, 1950. Default decree of condemnation and destruction.

16594. Misbranding of canned mushrooms. U. S. v. 320 Cases * * *. (F. D. C. No. 29256. Sample No. 35042-K.)

LIBEL FILED: June 2, 1950, Northern District of California.

ALLEGED SHIPMENT: Between the dates of March 17, 1949, and April 23, 1950, by the Delaware Mushroom Cooperative Assn., from Wilmington, Del.

PRODUCT: 320 cases, each containing 24 8-ounce cans, of mushrooms at San Francisco, Calif.

LABEL, IN PART: (Can) "First State Fancy Buttons Mushrooms."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "Fancy Buttons Mushrooms" was false and misleading as applied to an article that was not fancy because of excessive blemished units.

DISPOSITION: August 18, 1950. The Delaware Mushroom Cooperative Assn., 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 relabeling, under the supervision of the Federal Security Agency.

MEAT AND POULTRY

16595. Adulteration of frozen rabbits. U. S. v. 294 Bushel Baskets * * *. (F. D. C. No. 28741. Sample No. 73104-K.)

LIBEL FILED: March 2, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about January 12, 1950, by the Bismarck Hide & Fur Co., from Bismarck, N. Dak.

PRODUCT: 294 bushel baskets, each containing from 52 to 62 pounds, of frozen rabbits at Bronx, N. Y.

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 fur and fecal matter.

DISPOSITION: July 13, 1950. Louis S. Behlman, Bronx, 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, to be brought into compliance with the law, under the supervision of the Federal Security Agency. The rabbits, weighing a total of 11,862 pounds, were thawed and washed and the hair and fecal matter were thoroughly removed. As a result of this operation, a total of 872 pounds of the rabbits were found unfit and were denatured and given to a rendering company. The good portion, consisting of 10,990 pounds, was packed in 179 crates and frozen immediately.

16596. Adulteration of dressed poultry. U. S. v. 7 Crates, etc. (F. D. C. No. 29335. Sample Nos. 73116-K, 73117-K.)

LIBEL FILED: May 25, 1950, District of New Jersey.

ALLEGED SHIPMENT: On or about May 2 and 3, 1950, from Selbyville, Del., and New York, N. Y.

PRODUCT: 7 crates (400 pounds) of chickens and 10 crates (1,200 pounds) of turkeys in a storage warehouse, stored to the account of Armour & Co., Newark, N. J.

RESULTS OF INVESTIGATION: The product was stored in a rodent-infested establishment of Armour & Co., Newark, N. J., before being transferred to the warehouse.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta and rodent-gnawed birds; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: June 30, 1950. Armour & Co., Chicago, Ill., 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 segregation of the fit from the unfit portion, under the supervision of the Food and Drug Administration. Salvaging operations resulted in the release of three crates of turkeys, and the remainder was delivered to a rendering plant.

16597. Adulteration of dressed poultry. U. S. v. 15 Crates * * *. (F. D. C. No. 29316. Sample No. 73115-K.)

LIBEL FILED: May 31, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about April 27, 1950, by the Sussex Poultry Co., Milford, Del.

PRODUCT: 15 crates, containing approximately 1,031 pounds of dressed poultry at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of fecal and other extraneous matter, and of a decomposed substance by reason of the presence of decomposed birds; and, Section 402 (a) (5), the product was in whole or in part the product of a diseased animal.

DISPOSITION: July 27, 1950. The shipper, 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 salvaging of the fit portion, under the supervision of the Food and Drug Administration. Salvaging opera-