

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "Pheasantettes" was false and misleading since the birds were not pheasants; Sections 403 (e) (1) and (2), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (1), the label failed to bear the common or usual name of the food.

DISPOSITION: November 16, 1951. The American Stores Co., claimant, having admitted the allegations in the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled, under the supervision of the Federal Security Agency.

18743. Adulteration of frozen turkeys. U. S. v. 120 Boxes * * *. (F. D. C. No. 30469. Sample No. 92283-K.)

LIBEL FILED: January 5, 1951, Northern District of New York.

ALLEGED SHIPMENT: On or about December 1, 1950, by Roy O. Frantz, from Pueblo, Colo.

PRODUCT: 120 boxes each containing from 3 to 8 frozen turkeys at West Albany, 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 rodent excreta; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 25, 1951. Roy O. Frantz, 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 by a thorough scrubbing and rinsing of the turkeys and the removing of all unfit parts, under the supervision of the Federal Security Agency.

18744. Adulteration of chicken giblets. U. S. v. 49 Bags * * * (and 1 other seizure action). (F. D. C. Nos. 32085, 32086. Sample Nos. 12541-L, 12682-L.)

LIBEL FILED: November 7 and 8, 1951, Southern District of Ohio.

ALLEGED SHIPMENT: On or about November 5, 1951, by Firestone & Co., from Troutville, Va.

PRODUCT: Chicken giblets. 49 bags at Columbus, Ohio, and 184 bags at Cincinnati, Ohio. Each bag contained from 25 to 35 sets of chicken giblets (heart, liver, and gizzard).

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 feathers, dirt, fecal material, and miscellaneous debris.

DISPOSITION: December 10, 1951, and January 10, 1952. Default decree of destruction.

NUTS

18745. Adulteration of unshelled brazil nuts. U. S. v. 56 Bags * * *. (F. D. C. No. 32141. Sample No. 35257-L.)

LIBEL FILED: November 29, 1951, District of Minnesota.

ALLEGED SHIPMENT: On or about November 24, 1951, by the Winston & Newell Co., from Aberdeen, S. Dak.

PRODUCT: 56 100-pound bags of unshelled brazil nuts at Minneapolis, Minn.