

and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 2, 1953. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$500.

20644. Adulteration and misbranding of table and cooking oil. U. S. v. V. Formusa Co., Peter L. Formusa, and Joseph Formusa. Pleas of nolo contendere. Fine of \$250 against company and \$100 against each individual, plus costs. (F. D. C. No. 34353. Sample Nos. 33219-L, 33363-L, 33364-L.)

INFORMATION FILED: May 15, 1953, Northern District of Illinois, against the V. Formusa Co., a corporation, Chicago, Ill., Peter L. Formusa, president and treasurer of the corporation, and Joseph Formusa, who was in charge of the manufacturing operations of the corporation.

ALLEGED SHIPMENT: On or about March 12, 1951, and March 25 and 27, 1952, from the State of Illinois into the States of Michigan and Wisconsin.

LABEL, IN PART: "Marconi Brand Contains 75% Cottonseed Oil 20% Olive Oil 5% Peanut Oil Packed by V. Formusa Co. Chicago, Ill."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent of the article, namely, olive oil, had been in whole or in part omitted from the article; and, Section 402 (b) (2), a mixture of corn oil and peanut oil, with little or no olive oil, had been substituted for a blend of 75 percent cottonseed oil, 20 percent olive oil, and 5 percent peanut oil, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "Contains 75% Cottonseed Oil 20% Olive Oil" was false and misleading since the article contained a mixture of corn oil and peanut oil, with no cottonseed oil and little or no olive oil.

DISPOSITION: December 9, 1953. The defendants having entered pleas of nolo contendere, the court fined the company \$250 and each individual \$100, plus costs.

POULTRY

20645. Adulteration of dressed poultry. U. S. v. Vermont Poultry Outlet, Inc., Ned H. Pettengill, and Philip Kratky. Pleas of guilty. Fine of \$200 against corporation and \$100 against each individual. (F. D. C. No. 35176. Sample Nos. 45314-L, 45327-L.)

INFORMATION FILED: August 28, 1953, District of Vermont, against Vermont Poultry Outlet, Inc., South Royalton, Vt., Ned H. Pettengill, president of the corporation, and Philip Kratky, treasurer of the corporation.

ALLEGED SHIPMENT: On or about April 1 and July 9, 1953, from the State of Vermont into the State of Massachusetts.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article contained in one of the shipments consisted in part of a filthy substance by reason of the presence of fecal matter and crop material; and, Section 402 (a) (5), the article contained in both shipments was in part the product of a diseased animal, namely, diseased poultry.

DISPOSITION: November 2, 1953. Pleas of guilty having been entered by the defendants, the court fined the corporation \$200 and each individual \$100.