

MEAT AND POULTRY

20995. Adulteration of dressed rabbits. U. S. v. Vincent Piazza (Paul Piazza & Son), and Joe Piazza. Pleas of guilty. Each defendant fined \$150 and placed on probation for 2 years. (F. D. C. No. 35112. Sample No. 62513-L.)

INFORMATION FILED: July 31, 1953, Western District of Missouri, against Vincent Piazza, trading as Paul Piazza & Son, Springfield, Mo., and Joe Piazza, an employee in the business.

ALLEGED SHIPMENT: On or about January 7, 1953, from the State of Missouri into the State of Louisiana.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of fecal matter.

DISPOSITION: March 24, 1954. The defendants having entered pleas of guilty, the court fined each defendant \$150 and placed each on probation for 2 years.

20996. Adulteration of dressed poultry. U. S. v. 196 Pounds * * *. (F. D. C. No. 35720. Sample No. 51929-L.)

LIBEL FILED: October 14, 1953, Eastern District of New York.

ALLEGED SHIPMENT: On or about October 2, 1953, by the Mandata Poultry Co., from Herndon, Pa.

PRODUCT: 196 pounds of dressed poultry in 3 crates at Brooklyn, 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 birds which were contaminated with fecal matter; and, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal.

DISPOSITION: January 14, 1954. Default decree of condemnation and destruction.

20997. Adulteration of frozen turkeys. U. S. v. 10 Turkeys * * *. (F. D. C. No. 35723. Sample Nos. 45205-L, 45732-L.)

LIBEL FILED: October 13, 1953, District of Massachusetts.

ALLEGED SHIPMENT: On or about August 11, 1953, by R. B. Hall, Inc., from Jersey City, N. J.

PRODUCT: 10 frozen turkeys in 3 boxes at Lynn, Mass.

LABEL, IN PART: (Box) "Young Drawn T. Turks A. Feldstein & Co. Chicago, Ill."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing added water had been substituted in whole or in part for frozen turkeys; and, Section 402 (b) (4), water had been added to the article or mixed or packed with it so as to increase its bulk or weight or reduce its quality or strength.

DISPOSITION: January 19, 1954. Default decree of condemnation and destruction.

OLEOMARGARINE

20998. Possession and serving of colored oleomargarine or colored margarine. U. S. v. David E. Lemay and Ida I. Lemay (Dave's Seafood Restaurant). Pleas of guilty. Each defendant fined \$25 and placed on probation for 1 year. (F. D. C. No. 35745. Sample Nos. 45541-L, 45542-L.)

INFORMATION FILED: December 28, 1953, District of Rhode Island, against David E. Lemay and Ida I. Lemay, partners in the partnership of Dave's Seafood Restaurant, Portsmouth, R. I.

ALLEGED VIOLATION: On or about August 12, 1953, at Portsmouth, R. I., the defendants unlawfully possessed and served quantities of colored oleomargarine or colored margarine.

NATURE OF CHARGE: Colored oleomargarine or colored margarine was possessed by the defendants in violation of Section 407 (c), in that the article was possessed at a public eating place, namely, Dave's Seafood Restaurant, and was in a form ready for serving, and a notice that oleomargarine or margarine was being served was not displayed prominently and conspicuously, or at all, in such public eating place, and such notice was not printed or otherwise set forth on the menu at such public eating place.

Colored oleomargarine or colored margarine was served by the defendants in violation of Section 407 (c), in that the article was served at a public place, namely, Dave's Seafood Restaurant, and was a separate serving which (1) did not bear and was not accompanied by labeling identifying it as oleomargarine or margarine, or (2) was not triangular in shape.

DISPOSITION: January 19, 1954. The defendants, having entered pleas of guilty, the court fined each defendant \$25 and placed each on probation for 1 year.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

20999. Adulteration and misbranding of vitamin capsules. U. S. v. 12 Bottles, etc. (F. D. C. No. 34913. Sample No. 17243-L.)

LIBEL FILED: March 30, 1953, Southern District of California.

ALLEGED SHIPMENT: On or about May 15 and 31, 1951, from New York, N. Y.

PRODUCT: 12, 1,000-capsule bottles of vitamin capsules at Los Angeles, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (b), (1), a valuable constituent, vitamin B₁, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement "Vitamin B₁ * * * 1 Mg. 333 U. S. P. Units One Capsule provides the minimum adult daily requirements of Vitamin B₁" was false and misleading as applied to the article, which contained less than the declared amount of vitamin B₁.

The article was alleged to be adulterated and misbranded while held for sale after shipment in interstate commerce.

The libel alleged also that another lot of vitamin capsules was adulterated and misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 4254.

DISPOSITION: July 23, 1953. The American Pharmaceutical Co., New York, N. Y., claimant, having consented to the entry of a decree, the court ordered that a portion of the vitamin capsules having the status of drugs be released to the claimant and that the remainder of the vitamin capsules having the status of drugs and all of the vitamin capsules having the status of foods be condemned and destroyed.

21000. Misbranding of artificial mineral water. U. S. v. 366 Cases, etc. (F. D. C. No. 34961. Sample No. 157047-L.)