

**25340. Oleomargarine.** (F.D.C. No. 37253. S. Nos. 24-164 L, 37-280/2 L, 38-554 L, 49-736 L.)

**INDICTMENT RETURNED:** 8-2-54, S. Dist. N.Y., against Harry Sacks, New York, N.Y.

**ALLEGED VIOLATION:** The indictment alleged that the defendant and co-conspirators, Sol Abramson and Louis Alpert, since November 1, 1951, and continuously thereafter to the date of the filing of the indictment, did combine, confederate, and agree together and with each other, and with other unknown persons to commit an offense against the United States, namely, to sell and offer for sale colored oleomargarine in violation of 407(b) (3). It was charged as part of the conspiracy that the defendant and co-conspirators would, with intent to defraud and mislead, sell and offer for sale colored oleomargarine in packages not bearing labels on which appeared the word "oleomargarine" or "margarine" in type or lettering at least as large as any other type or lettering on the label, and a full and accurate statement of all the ingredients contained in such oleomargarine.

It was alleged further in pursuance of the conspiracy and to effect the objects thereof, that the defendant, on 12-1-51, had a conversation with the co-conspirators named above, and that the defendant, on 4-14-52, delivered to co-conspirator, Louis Alpert, three cartons containing a mixture of colored oleomargarine and butter.

**PLEA:** Guilty.

**DISPOSITION:** 12-18-56. \$250 fine.

## POULTRY AND POULTRY PRODUCTS

**25341. Dressed turkeys.** (F.D.C. No. 42179. S. No. 30-057 P.)

**QUANTITY:** 733 ctns., 36,650 lbs. total, at Jersey City, N.J.

**SHIPPED:** 8-13-58, from Kansas City, Kans.

**LIBELED:** 9-9-58, Dist. N.J.

**CHARGE:** 402(a) (3)—contained decomposed turkeys while held for sale.

**DISPOSITION:** 10-16-58. Consent—claimed by Lehigh Valley Railroad Co., New York, N.Y. Segregated; 1,711 lbs. destroyed.

**25342. Canned Rock Cornish game hens.** (F.D.C. No. 42074. S. No. 39-181 P.)

**QUANTITY:** 44 cases, 6 2-lb. cans each, at Milpitas, Calif.

**SHIPPED:** 9-18-57 and 12-7-57, from New York, N.Y., by General Foods Corporation, Gourmet Foods Operations.

**LABEL IN PART:** "Rock Cornish Game Hen Boneless, Stuffed \* \* \* Gourmet Foods."

**LIBELED:** 8-1-58, N. Dist. Calif.

**CHARGE:** 402(a) (3)—contained a decomposed substance when shipped.

**DISPOSITION:** 8-26-58. Default—destruction.

**25343. Canned Rock Cornish game hens.** (F.D.C. No. 42075. S. No. 21-079 P.)

**QUANTITY:** 100 cases, 6 2-lb. cans each, at Kansas City, Mo.

**SHIPPED:** 10-7-57, from White Plains, N.Y.

**RESULTS OF INVESTIGATION:** Examination showed that the article was undergoing bacterial decomposition.

**LIBELED:** On or about 8-5-58, W. Dist. Mo.

**CHARGE:** 402(a)(3)—contained a decomposed substance while held for sale.  
**DISPOSITION:** 9-18-58. Default—destruction.

**25344. Canned Rock Cornish game hens.** (F.D.C. No. 41970. S. No. 31-412 P.)

**QUANTITY:** 98 cases, 588 2-lb. cans total, at Tarrytown, N.Y.

**SHIPPED:** 12-18-57, from Odessa, Del.

**RESULTS OF INVESTIGATION:** Examination showed that the article was undergoing bacterial decomposition.

**LIBELED:** 9-4-58, S. Dist. N.Y.

**CHARGE:** 402(a)(3)—contained a decomposed substance while held for sale.

**DISPOSITION:** 10-16-58. Default—destruction.

**25345. Frozen chicken chow mein, frozen fried rice with chicken, and rice.**  
(F.D.C. No. 41179. S. Nos. 75-873 M, 76-095 M, 76-355 M.)

**INFORMATION FILED:** 6-18-58, Dist. Mass., against Hung's Food Products, Inc., Cambridge, Mass., and Stephen C. Hung, president and treasurer.

**ALLEGED VIOLATION:** Between 8-14-57 and 9-16-57, while quantities of rice were being held for sale after shipment in interstate commerce, the defendants caused the article to be placed in a building that was accessible to rodents and to be exposed to contamination by rodents, which acts resulted in the article being adulterated.

The information alleged also that on 8-26-57, and between 9-11-57 and 10-23-57, the defendants shipped adulterated frozen chicken chow mein and adulterated frozen fried rice with chicken from Massachusetts to Vermont and Rhode Island.

**CHARGE:** 402(a)(3)—the frozen chicken chow mein contained rodent hair fragments, feather fragments, and insect parts; the frozen fried rice with chicken contained rodent hair fragments, insect parts, feather fragments, and feather barbules; and the rice contained rodent excreta and rodent urine; and 402(a)(4)—the frozen chicken chow mein and the frozen fried rice with chicken were prepared, and the rice was held, under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 9-29-58. Corporation—\$500 fine; individual—2 years probation.

## SPICES, FLAVORS, AND SEASONING MATERIALS

**25346. Ginger root.** (F.D.C. No. 42285. S. No. 30-825 P.)

**QUANTITY:** 20 bags, 135 lb. total, at New York, N.Y.

**SHIPPED:** 10-3-58, from India.

**LIBELED:** 11-25-58, S. Dist. N.Y.

**CHARGE:** 402(a)(3)—contained insects while held for sale.

**DISPOSITION:** 12-11-58. Consent—claimed by Overseas Produce Corp., New York, N.Y. Segregated; 320 lbs. destroyed.

**25347. Ginger root.** (F.D.C. No. 42251. S. No. 30-823 P.)

**QUANTITY:** 100 137-lb. bags at New York, N.Y.

**SHIPPED:** 4-21-58, from India.

**LIBELED:** 10-31-58, S. Dist. N.Y.

**CHARGE:** 402(a)(3)—contained insects while held for sale.