

1346. Adulteration of poultry. U. S. v. 3 Boxes of Poultry. Default decree of condemnation and destruction. (F. D. C. No. 3395. Sample No. 34473-E.)

This product consisted in whole or in part of decomposed and diseased poultry. On November 19, 1940, the United States attorney for the Southern District of New York filed a libel against three boxes of poultry at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 31, 1940, by the Rochester Egg & Poultry Co. from Rochester, Minn.; and charging that it was adulterated.

It was alleged to be adulterated in that it consisted in whole or in part of a decomposed substance; and in that it was in whole or in part the product of diseased animals.

On December 17, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1347. Adulteration of poultry. U. S. v. 2 Boxes of Poultry. Default decree of condemnation and destruction. (F. D. C. No. 3267. Sample No. 34462-E.)

This poultry was in whole or in part diseased and decomposed.

On October 24, 1940, the United States attorney for the Southern District of New York filed a libel against two boxes of poultry at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 3, 1940, by Mrs. George D. Tracy Poultry & Eggs from Tracy, Minn.; and charging that it was adulterated.

It was alleged to be adulterated in that it consisted in whole or in part of a decomposed substance or was otherwise unfit for food; and in that it was in whole or in part the product of diseased animals.

On November 25, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

NUTS AND NUT PRODUCTS**1348. Adulteration of pecan pieces. U. S. v. 4 Cases of Pecan Pieces. Default decree of condemnation and destruction.** (F. D. C. No. 3579. Sample No. 37225-E.)

This product was in interstate commerce at the time of examination and was found to be in whole or in part moldy at that time.

On or about December 27, 1940, the United States attorney for the Southern District of Florida filed a libel against four cases of pecan pieces at Miami, Fla., alleging that the article had been shipped in interstate commerce within the period from on or about November 25 to November 30, 1940, by the Southern Seed & Pecan Co. from Cairo, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On January 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1349. Adulteration of shelled peanuts. U. S. v. 247 Bags of Shelled Peanuts. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 2457. Sample No. 14259-E.)

These peanuts were in part decomposed and wormy.

On July 26, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 247 bags of peanuts at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about July 15, 1940, by the Birdsong Storage Co. from Troy, Ala.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance. The article was labeled in part "Shelled Runner Peanuts."

On July 31, 1940, the Birdsong Storage Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration. The nuts were sorted and the rejects were denatured and disposed of for hog feed.

1350. Misbranding of peanut butter. U. S. v. 36 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. D. C. No. 2825. Sample No. 9906-E.)

This product was short weight.

On September 17, 1940, the United States attorney for the Eastern District of Louisiana filed a libel against 36 cases of peanut butter at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about July 19 and August 1, 1940, by Paul's [Paulk's] Products, Inc. from Opp, Ala.;