

ALLEGED SHIPMENT: February 24, June 26, and July 23, 1945, by Basic Food Materials, Inc., from Cleveland, Ohio.

PRODUCT: Imitation pepper. 477 5-pound packages and 234 1-pound packages at Baltimore, Md.; and 41 cartons, each containing 24 1-pound bags, and 234 1-pound packages at Atlanta, Ga.

LABEL, IN PART: "Chef's Delite Imitation Pepper."

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 one or more of the following: Weevils, larvae, beetles, insect fragments, and rodent hairs.

DISPOSITION: October 31 and November 1, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

10337. Adulteration of pepper piccalilli. U. S. v. 374 Cartons of Pepper Piccalilli (and 5 other seizure actions against pepper piccalilli). Default decrees of condemnation and destruction. (F. D. C. Nos. 17648, 17653, 17656, 18156, 18247 to 18249, incl. Sample Nos. 4496-H, 4500-H, 5002-H to 5004-H, incl., 5008-H, 5011-H, 5015-H.)

LIBELS FILED: October 10, 11, 12, and 31, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: Between the approximate dates of September 1 and September 20, 1945, by the Uddo and Taormina Co., from Vineland, N. J.

PRODUCT: 374 cartons, 69 cartons, and 151 cartons, and 150 cases, 59 cases, 129 cases, and 197 cases of pepper piccalilli peperoni at Philadelphia, Pa.

LABEL, IN PART: "Progresso Brand * * * Pepper Piccalilli Peperoni."

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 flies, fly eggs, fly parts, larvae, maggots, and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 6, 1945, and January 3, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

10338. Adulteration of yellow mustard seed. U. S. v. 284 Bags of Yellow Mustard Seed. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17543. Sample No. 9832-H.)

LIBEL FILED: February 25, 1946, Western District of New York.

ALLEGED SHIPMENT: On or about February 8, 1945, from Conrad, Mont.

PRODUCT: 284 100-pound bags of yellow mustard seed at Buffalo, N. Y., in possession of the Merchants Refrigerating Co. (Terminal and Transportation Warehouse). The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent excreta.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 6, 1946. The Merchants Refrigerating Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the purpose of bringing it into compliance with the law by segregating the good from the bad, destroying the part that was bad, and reconditioning the part that may be made good, under the supervision of the Food and Drug Administration.

10339. Adulteration and misbranding of chow chow. U. S. v. 84 Cases of Chow Chow (and 3 other seizure actions against chow chow). Default decrees of condemnation. Portion of product ordered delivered to a charitable institution; remainder ordered destroyed. (F. D. C. Nos. 17627, 17628, 18392, 19447. Sample Nos. 472-H, 473-H, 1222-H, 1370-H.)

LIBELS FILED: October 10 and December 27, 1945, and March 22, 1946, Northern and Southern Districts of Georgia.

ALLEGED SHIPMENT: On or about August 21, 27, and 29, 1945, by M. Licht and Son, from Knoxville, Tenn.