

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Net Wt. 1/4 Lb." was false and misleading since each package contained 3.55 ounces; and, Section 403 (k), the product contained artificial color and failed to bear labeling stating that fact.

DISPOSITION: February 26, 1951. Wm. M. Allison & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be repackaged, under the supervision of the Food and Drug Administration.

POULTRY

17145. Adulteration of dressed poultry. U. S. v. 76 Crates * * * (F. D. C. No. 30365. Sample No. 80233-K.)

LABEL FILED: December 28, 1950, District of Massachusetts.

ALLEGED SHIPMENT: On or about December 21, 1950, by the Maplewood Packing Co., from Belfast, Maine.

PRODUCT: Dressed poultry. 76 crates each containing from 10 to 12 birds at Boston, Mass.

LABEL, IN PART: "Mapco Brand Maine's Best."

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

DISPOSITION: January 5, 1951. Native Poultry Co., Inc., Boston, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reconditioning, under the supervision of the Federal Security Agency. After the reconditioning operations, which consisted in washing each bird individually, the birds were inspected and repacked into crates lined with fresh paper. Two birds were found to be unfit and were destroyed.

17146. Adulteration of dressed poultry. U. S. v. 10 Crates * * * (F. D. C. No. 30390. Sample No. 73164-K.)

LABEL FILED: January 29, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about December 17, 1950, by the Acme Poultry Corp., from Berlin, Md.

PRODUCT: 10 crates, containing a total of 750 pounds, of dressed poultry at New York, N. Y.

LABEL, IN PART: (Crate) "Acme Brand Fresh Killed Dressed Extra Fancy New York Dressed Maryland Poultry."

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

DISPOSITION: March 2, 1951. Default decree of condemnation. The court ordered that a portion of the product be delivered to the Food and Drug Administration and that the remainder be destroyed.