

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, insect fragments, and rodent hairs, and of a decomposed substance by reason of the presence of moldy peppers; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 28, 1951. Default decree of condemnation and destruction.

17445. Adulteration of chili pods. U. S. v. 250 Pounds * * *. (F. D. C. No. 30679. Sample No. 12865-L.)

LIBEL FILED: March 6, 1951, District of Colorado.

ALLEGED SHIPMENT: On or about January 23, 1951, by Esquipula Y. Martinez, from Chimayo, N. Mex.

PRODUCT: 250 pounds of chili pods in 3 unlabeled bags at Trinidad, Colo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy pods.

DISPOSITION: April 12, 1951. Default decree of condemnation and destruction.

17446. Adulteration of cinnamon quills. U. S. v. 36 Bags * * *. (F. D. C. No. 30463. Sample No. 35739-K.)

LIBEL FILED: January 2, 1951, Northern District of California.

ALLEGED SHIPMENT: On or about November 13, 1946, from Colombo, Ceylon.

PRODUCT: 36 100-pound bags of cinnamon quills at San Francisco, Calif., in possession of the Dodd Warehouse Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta and rodent hairs; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 2, 1951. The McClintock-Stern Co., San Francisco, Calif., 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 reprocessed and brought into compliance with the law, under the supervision of the Food and Drug Administration. Reconditioning operations resulted in the salvage of 3,500 pounds of the product, and the destruction of 100 pounds.

17447. Adulteration and misbranding of black pepper. U. S. v. 1 50-Pound Drum, etc. (and 4 other seizure actions) * * *. (F. D. C. Nos. 30686, 30706, 30732, 30742, 30899. Sample Nos. 1814-L, 6878-L, 25242-L, 31460-L, 31461-L, 32276-L.)

LIBELS FILED: On or about March 12, 14, and 23, and April 3 and 5, 1951, Eastern Districts of Missouri and Illinois, Western District of Pennsylvania, Northern District of Georgia, and District of New Jersey.

ALLEGED SHIPMENT: Prior to October 21, 1949, and on or about January 30, February 13 and 26, and March 23, 1951, by the Meer Corp., from North Bergen, N. J., and New York, N. Y.

PRODUCT: Black Pepper. 2 50-pound drums and 3 200-pound drums at St. Louis, Mo.; 9 6-pound canisters at New Castle, Pa.; 1 100-pound drum and 1 150-pound drum at National Stock Yards, Ill.; 98 1-pound canisters at Atlanta, Ga.; and 2 250-pound drums at Vineland, N. J.

LABEL, IN PART: "Ground Black Pepper," "Cracked Black Pepper," "Pure Ground Black Pepper," "Black Pepper," "Pure Black Pepper," or "Black Pepper Ground."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of black pepper and paradise seeds had been substituted in whole or in part for black pepper.

Misbranding, Section 403 (a), the above-quoted label statements were false and misleading as applied to a mixture of black pepper and paradise seeds.

DISPOSITION: The black pepper located at St. Louis, Mo., National Stock Yards, Ill., and Atlanta, Ga., was ordered destroyed under default decrees of condemnation entered on April 2, 17, and 25, 1951, while that located at New Castle, Pa., and Vineland, N. J., was ordered delivered to charitable institutions under default decrees of condemnation entered May 25 and July 3, 1951.

17448. Adulteration of red pepper. U. S. v. 198 Sacks * * *. (F. D. C. No. 30465. Sample No. 32962-K.)

LIBEL FILED: January 3, 1951, Northern District of California.

ALLEGED SHIPMENT: On or about February 22, 1950, from Valparaiso, Chile.

PRODUCT: 198 sacks, each containing approximately 90 pounds, of red pepper at San Francisco, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 28, 1951. B. C. Ireland, Inc., San Francisco, Calif., claimant, having admitted that the product was adulterated, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. 17,510 pounds were salvaged and released to the claimant, and a remaining 310 pounds were destroyed.

17449. Adulteration of pimentos in brine. U. S. v. 1 Barrel * * *. (F. D. C. No. 30721. Sample No. 32282-L.)

LIBEL FILED: March 22, 1951, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about February 27, 1951, by Basic Food Materials, Inc., from Federalsburg, Md.

PRODUCT: 1 barrel containing 400 pounds of pimentos in brine at St. Louis, Mo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of worms, and of decomposed substance by reason of the presence of rotten pimentos.

DISPOSITION: April 17, 1951. Default decree of condemnation and destruction.

17450. Adulteration of turmeric. U. S. v. 49 Bags * * *. (F. D. C. No. 30528. Sample No. 27794-L.)

LIBEL FILED: February 6, 1951, Northern District of California.

ALLEGED SHIPMENT: On or about September 7, 1950, from New York, N. Y.