

ALLEGED SHIPMENT: On or about May 20, 1951, by Poultrymen's Coop. of Connecticut, Inc., from Plainfield, Conn.

PRODUCT: 227 pounds of dressed turkeys at New York, N. Y.

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 of a decomposed substance by reason of the presence of decomposed birds.

DISPOSITION: July 11, 1951. Default decree of condemnation. The court ordered that samples of the product be delivered to the Food and Drug Administration, that any portion fit for human consumption be delivered to a charitable institution, and that the remainder be destroyed. The product was reexamined, and the entire lot was found unfit for human consumption and was destroyed, with the exception of the sample.

NUTS

17995. Adulteration of unshelled peanuts. U. S. v. 105 Bags * * * (F. D. C. No. 31461. Sample No. 30048-L.)

LIBEL FILED: August 15, 1951, Northern District of California.

ALLEGED SHIPMENT: On or about July 26, 1951, from Seattle, Wash.

PRODUCT: 105 95-pound bags of unshelled peanuts at San Francisco, Calif.

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 insect-infested peanuts, and of a decomposed substance by reason of the presence of moldy peanuts. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 25, 1951. Default decree of condemnation and destruction.

17996. Adulteration of pecan pieces. U. S. v. 1 Carton * * * (F. D. C. No. 31452. Sample No. 35116-L.)

LIBEL FILED: August 3, 1951, District of Minnesota.

ALLEGED SHIPMENT: On or about April 21, 1951, by the South Georgia Pecan Shelling Co., from Valdosta, Ga.

PRODUCT: 1 30-pound carton of pecan pieces at Moorhead, Minn.

LABEL, IN PART: "The Pick of the Crop * * * Light Amber Pieces."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of the presence of rancid nuts.

DISPOSITION: September 28, 1951. Default decree of condemnation. The court ordered that the product be destroyed unless processed and disposed of as animal feed, under the supervision of the Food and Drug Administration.

17997. Adulteration of black walnut kernels. U. S. v. Arthur P. Slaughter (Smoky Mountain Drug Co.). Plea of nolo contendere. Fine, \$250. (F. D. C. No. 31087. Sample Nos. 95606-K, 95607-K, 25054-L.)

INFORMATION FILED: June 1, 1951, Eastern District of Tennessee, against Arthur P. Slaughter, trading as the Smoky Mountain Drug Co., Bristol, Tenn.

ALLEGED SHIPMENT: On or about December 8 and 11, 1950, and January 5, 1951, from the State of Tennessee into the State of Pennsylvania.

LABEL, IN PART: "Tennessee Valley Blue Grass Brand Black Walnut Kernels."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent hairs, feather barbules, cat hair fragments, rodent hair fragments, insect fragments and *E. coli*; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

The information charged also the interstate shipment of adulterated drugs, as reported in notices of judgment on drugs and devices, No. 3666.

DISPOSITION: September 17, 1951. A plea of nolo contendere having been entered, the court fined the defendant \$250 on the counts based on the shipments of an adulterated food. (A fine of \$250 was imposed also on the counts charging the other violations.)

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE*

17998. Adulteration and misbranding of Special Formula No. 5733-C vitamin capsules. U. S. v. 15,000 Capsules * * *. (F. D. C. No. 31440. Sample No. 34894-L.)

LIBEL FILED: July 18, 1951, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about May 22, 1951, from Baudette, Minn.

PRODUCT: 15,000 Special Formula No. 5733-C vitamin capsules at Eau Claire, Wis.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement "Each Capsule contains — Vitamin D 250 units" was false and misleading since the article contained substantially less than the declared amount of vitamin D.

The article was adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: November 20, 1951. Default decree of condemnation. The court ordered that the product be sold to a charitable institution.

17999. Adulteration and misbranding of vitamin tablets. U. S. v. 8 Bottles, etc. (F. D. C. No. 31171. Sample Nos. 16855-L, 16856-L.)

LIBEL FILED: June 6, 1951, Southern District of California.

ALLEGED SHIPMENT: On or about July 28, 1948, and February 4 and 7, 1949, from Chicago, Ill.

PRODUCT: 8 250-tablet bottles and 8 30-tablet bottles of vitamin B complex and 17 60-tablet bottles of super potency vitamin tablets at Los Angeles, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, (B complex tablets) vitamin B₁ and (super potency tablets) vitamins A, B₁, C, and D, had been in part omitted or abstracted from the articles.

Misbranding, Section 403 (a), the label statements on the B complex tablets "One tablet daily will supply the following: Vitamin B₁ (Thiamine HCL) (100% MDR) 1 Milligram" and on the super potency tablets "Each tablet contains: Vitamin A (125% MDR) 5000 U.S.P. Units Vitamin B₁ Thiamine HCL, (400% MDR) 4.0 Mgms. * * * Vitamin C (250% MDR) 75.0 Mgms. Vitamin D (125% MDR) 500 U.S.P. Units" were false and misleading since the articles contained less than the stated amounts of the declared vitamins and

*See also No. 17956.