

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of birds contaminated with fecal matter and crop material, and of a decomposed substance by reason of the presence of decomposed birds; and, Section 402 (a) (5), the article was in part the product of a diseased animal, namely, diseased poultry.

**DISPOSITION:** March 16, 1953. The defendant having entered a plea of guilty, the court fined it \$300.

**19691. Adulteration of dressed poultry. U. S. v. 512 Pounds \* \* \*. (F. D. C. No. 33937. Sample No. 49526-L.)**

**LIBEL FILED:** October 20, 1952, Southern District of New York.

**ALLEGED SHIPMENT:** On or about October 6, 1952, by the B & B Poultry Co., from Norma, N. J.

**PRODUCT:** 512 pounds of dressed poultry at New York, N. Y.

**LABEL, IN PART:** "B & B Poultry Co. Norma, N. J."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal.

**DISPOSITION:** December 17, 1952. Default decree of condemnation and destruction.

**19692. Adulteration of dressed poultry. U. S. v. 5 Crates, etc. (F. D. C. No. 33869. Sample Nos. 44733-L, 44734-L.)**

**LIBEL FILED:** September 17, 1952, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about September 3 and 4, 1952, by New Hampshire Poultry Co., Inc., from Manchester, N. H.

**PRODUCT:** 6 crates of dressed poultry, each crate containing from 22 to 27 birds, at Boston, Mass.

**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 birds which were contaminated with fecal matter.

**DISPOSITION:** September 25, 1952. Consent decree of condemnation and destruction.

## SPICES, FLAVORS, AND SEASONING MATERIALS

**19693. Adulteration of hot cherry peppers. U. S. v. 11 Cases \* \* \*. Tried to the court. Verdict for the Government. Decree of condemnation and destruction. (F. D. C. No. 32152. Sample No. 23764-L.)**

**LIBEL FILED:** November 19, 1951, District of Connecticut.

**ALLEGED SHIPMENT:** On or about August 16, 1951, by G. Capaldi & Son, Inc., from Watertown, Mass.

**PRODUCT:** 11 cases, each containing 12 1-quart jars, of hot cherry peppers at New Britain, Conn.

**LABEL, IN PART:** (Jar) "Naples Brand \* \* \* Hot Cherry Peppers."

**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 maggots.

**DISPOSITION:** G. Capaldi & Son, Inc., appeared as claimant and filed an answer denying that the product was adulterated. Thereafter, a set of interrogatories was filed by the Government on November 20, 1952, with the request that they