

**DISPOSITION:** April 24, 1952. The Benner Tea Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

524 pounds of peanuts were segregated for use as hog feed, and 350 pounds of flour were denatured for use as animal feed.

**19739. Adulteration of pecan meats, dried peaches, dried apricots, prunes, and rice. U. S. v. 10 Cases, etc. (F. D. C. No. 33545. Sample Nos. 27493-L to 27505-L, incl.)**

**LIBEL FILED:** August 29, 1952, District of Nevada.

**ALLEGED SHIPMENT:** Portions of the products were shipped between February 5 and March 19, 1951, and the remainder was shipped prior to 1951.

**PRODUCT:** 10 cases, each containing 12 4-ounce bags, and 4 cases, each containing 12 3-ounce bags, of pecan meats; 3 cases, each containing 12 14-ounce bags, of dried peaches; 5 cases, each containing 12 14-ounce bags, of dried apricots; 5 cases, each containing 12 14-ounce bags, of prunes; and 36 cases, each containing 24 1-pound bags, 14 cases, each containing 12 2-pound bags, and 12 cases, each containing 12 1-pound bags, of rice, at Reno, Nev.

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

**DISPOSITION:** September 24, 1952. Default decree of condemnation and destruction.

**19740. Adulteration of nut meats and prunes. U. S. v. 6 Cases, etc. (F. D. C. No. 34118. Sample Nos. 65596-L to 65598-L, incl.)**

**LIBEL FILED:** November 7, 1952, District of North Dakota.

**ALLEGED SHIPMENT:** Between the approximate dates of November 7, 1951, and June 18, 1952, from Minneapolis, Minn., and Fowler, Calif.

**PRODUCT:** 6 cases, each containing 24 3½-ounce packages, of nut meats, and 8 cases, each containing 24 7-ounce packages, and 176 2-pound packages, of prunes at Fargo, N. Dak.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in whole or in part of decomposed substances by reason of the presence of moldy prunes and moldy walnuts, and (98 cases of prunes) of a filthy substance by reason of the presence of insects. The products were adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** April 17, 1953. The sole interveners having consented to the entry of a decree, judgment of condemnation and destruction was entered.

**19741. Adulteration of desiccated coconut. U. S. v. 92 Bags \* \* \*. (F. D. C. No. 33048. Sample No. 21190-L.)**

**LIBEL FILED:** April 8, 1952, Southern District of Texas.

**ALLEGED SHIPMENT:** On or about October 31 and November 2, 1950, from New York, N. Y.

**PRODUCT:** 92 100-pound bags of desiccated coconut at Houston, Tex.

**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 insects.

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

**DISPOSITION:** September 5, 1952. Default decree of condemnation and destruction.

## POULTRY

**19742. Adulteration of dressed poultry. U. S. v. John W. Spencer (Spencer Produce Co.).** Plea of guilty. Fine, \$400. (F. D. C. No. 33812. Sample No. 49517-L.)

**INFORMATION FILED:** October 29, 1952, Western District of Virginia, against John W. Spencer, trading as the Spencer Produce Co., Dayton, Va.

**ALLEGED SHIPMENT:** On or about August 13, 1952, from the State of Virginia into the State of New York.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (5), the article was in part the product of a diseased animal since it consisted in part of poultry that was affected with enteritis, pyemia, and enterohepatitis.

**DISPOSITION:** March 10, 1953. A plea of guilty having been entered, the court fined the defendant \$400.

**19743. Adulteration of dressed poultry. U. S. v. Rockland Poultry Co., Inc., and Isidore Poust.** Pleas of guilty. Corporation fined \$500; individual fined \$100. (F. D. C. No. 33796. Sample Nos. 38347-L, 49507-L.)

**INFORMATION FILED:** October 14, 1952, District of Maine, against Rockland Poultry Co., Inc., Rockland, Maine, and Isidore Poust, treasurer.

**ALLEGED SHIPMENT:** On or about April 16, 1952, from the State of Maine into the State of New York.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of birds that were decomposed; and, Section 402 (a) (5), it was in part the product of a diseased animal, diseased poultry, and (1 shipment) the product of an animal which had died otherwise than by slaughter.

**DISPOSITION:** March 27, 1953. The defendants having entered pleas of guilty, the court fined the corporation \$500 and the individual defendant \$100.

**19744. Adulteration of dressed poultry. U. S. v. 219 Pounds \* \* \*.** (F. D. C. No. 34081. Sample No. 49530-L.)

**LIBEL FILED:** On or about October 30, 1952, Southern District of New York.

**ALLEGED SHIPMENT:** On or about October 14, 1952, by Rockland Poultry Co., Inc., from Rockland, Maine.

**PRODUCT:** 219 pounds of dressed poultry at New York, N. Y.

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

**DISPOSITION:** January 12, 1953. Default decree of condemnation. The court ordered that samples be delivered to the Food and Drug Administration and that the remainder be destroyed.

**19745. Adulteration of dressed poultry. U. S. v. 91 Crates, etc.** (F. D. C. No. 33936. Sample Nos. 26327-L, 26328-L.)

**LIBEL FILED:** On or about October 21, 1952, District of New Jersey.