

POULTRY

20343. Adulteration of dressed poultry. U. S. v. Benjamin I. Fisher (B & B Poultry Co.). Plea of guilty. Fine of \$1,000 on count 1; imposition of sentence suspended on count 2 and defendant placed on probation for 3 years. (F. D. C. No. 34314. Sample Nos. 49521-L, 49526-L.)

INFORMATION FILED: March 3, 1953, District of New Jersey, against Benjamin I. Fisher, trading as the B & B Poultry Co., Norma, N. J.

ALLEGED SHIPMENT: Between the approximate dates of July 6 and October 6, 1952, from the State of New Jersey 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, namely, diseased poultry.

DISPOSITION: May 15, 1953. The defendant having entered a plea of guilty, the court imposed a fine of \$1,000 on count 1, suspended the imposition of sentence on count 2, and placed the defendant on probation for 3 years.

20344. Adulteration of dressed poultry. U. S. v. New Hampshire Poultry Co., Inc., and Harry Glick. Plea of guilty by corporation and plea of nolo contendere by individual. Fine of \$900 against corporation and \$300 against individual. (F. D. C. No. 34367. Sample Nos. 44230-L, 44733-L, 44734-L, 44991-L, 49508-L, 49534-L.)

INFORMATION FILED: April 22, 1953, District of New Hampshire, against New Hampshire Poultry Co., Inc., Goffstown, N. H., and Harry Glick, president of the corporation.

ALLEGED SHIPMENT: Between July 1 and November 3, 1952, from the State of New Hampshire into the States of Massachusetts and New York.

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; Section 402 (a) (4), portions of the article had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth; and, Section 402 (a) (5), portions of the article were in part the product of a diseased animal, namely, diseased poultry.

DISPOSITION: June 5, 1953. The corporation having entered a plea of guilty and the individual having entered a plea of nolo contendere, the court fined the corporation \$900 and the individual \$300.

20345. Adulteration of dressed poultry. U. S. v. 966 Pounds * * *. (F. D. C. No. 34956. Sample No. 45312-L.)

LIBEL FILED: April 15, 1953, District of Massachusetts.

ALLEGED SHIPMENT: On or about April 1, 1953, by the Maplewood Packing Co., from Belfast, Maine.

PRODUCT: 966 pounds of dressed poultry in 15 crates at Boston, Mass.

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

DISPOSITION: June 8, 1953. Default decree of condemnation and destruction.

20346. Adulteration of dressed poultry. U. S. v. 493 Pounds * * *. (F. D. C. No. 34949. Sample No. 45314-L.)

LIBEL FILED: April 13, 1953, District of Massachusetts.

ALLEGED SHIPMENT: On or about April 1, 1953, by Vermont Poultry Outlet, Inc., from South Royalton, Vt.

PRODUCT: 493 pounds of dressed iced poultry in 8 crates at Boston, Mass.

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

DISPOSITION: June 8, 1953. Default decree of condemnation. The court ordered that the product be delivered to the Food and Drug Administration.

20347. Adulteration of frozen dressed chickens. U. S. v. 2 Barrels * * *.
(F. D. C. No. 34532. Sample No. 42198-L.)

LIBEL FILED: January 9, 1953, Northern District of California.

ALLEGED SHIPMENT: On or about December 20, 1952, by the Draper Egg Producers Association, from Draper, Utah.

PRODUCT: 2 barrels, each containing 230 pounds, of frozen dressed chickens at Sacramento, Calif.

LABEL, IN PART: "Frozen N. Y. Dress Chickens: Egg Basket Diamond Brand."

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

DISPOSITION: March 18, 1953. Default decree of condemnation and destruction. The product was used for hog feed.

SPICES, FLAVORS, AND SEASONING MATERIALS*

20348. Adulteration and misbranding of cinnamon, salad dressing, french dressing, and vinegar, and misbranding of coffee. U. S. v. Robert E. Henderson, Sr. (Henderson Coffee Co.). Plea of nolo contendere. Fine, \$320.
(F. D. C. No. 32797. Sample Nos. 32474-L to 32476-L, incl., 32478-L to 32480-L, incl., 32537-L, 32539-L, 32542-L.)

INFORMATION FILED: January 14, 1953, Eastern District of Oklahoma, against Robert E. Henderson, Sr., a partner in the partnership of the Henderson Coffee Co., Muskogee, Okla.

ALLEGED SHIPMENT: On or about October 14, 1950, and May 18 and 25, September 14 and 28, and October 26, 1951, from the State of Oklahoma into the State of Arkansas.

LABEL, IN PART: "It's Henderson Coffee," "It's Henderson Coffee Spices Extracts Teas Cinnamon," and "It's Henderson's Best * * * Salad Dressing [or "French Dressing" or "Blended Distilled & Sugar Vinegar"]."

NATURE OF CHARGE: Coffee. Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents (a portion of the article bore no label containing a statement of the contents; and the remainder of the article bore a label containing a statement "10 Lbs.," which statement was inaccurate since the bags containing the article contained less than 10 pounds).

Cinnamon. Adulteration, Section 402 (b) (2), sugar had been substituted in part for cinnamon. Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents (the bags containing the article bore no statement of the quantity of the contents).

*See also No. 20314.