

In accordance with the above opinion, an order was entered on 12-14-53 denying the defendants' motion for dismissal. On 2-8-54, the defendants were arraigned and entered pleas of not guilty. The case came on to trial before the court without a jury on 4-9-56, and at the conclusion of the trial on 4-10-56 the court rendered a verdict of guilty. On 6-25-56, the court imposed a fine of \$1,000 against the corporation and a jail sentence of 180 days against the individual defendant.

23989. Frozen poultry. (F. D. C. No. 40062. S. Nos. 44-146 M, 44-148 M.)

QUANTITY: 153 boxes, 3,455 lbs. total, at Memphis, Tenn.

SHIPPED: 6-22-56, from Hattiesburg, Miss., by C & S Poultry Co.

LIBELED: 3-21-57, W. Dist. Tenn.

CHARGE: 402 (a) (3)—when shipped, 99 boxes contained crop material and uncleaned gizzards, and 54 boxes, contained fecal material and decomposed birds.

DISPOSITION: 5-15-57. Default—delivered to a public institution for conversion into fertilizer.

SPICES, FLAVORS, AND SEASONING MATERIALS*

23990. Capsicum. (F. D. C. No. 39802. S. No. 27-608 M.)

QUANTITY: 87 85-lb. bags at New Orleans, La.

SHIPPED: 10-23-56, from New York, N. Y., by John Holt & Co.

LABEL IN PART: (Bag) "20 C Holts 12.1.55 Nigeria 53."

LIBELED: 12-4-56, E. Dist. La.

CHARGE: 402 (a) (3)—contained insects when shipped.

DISPOSITION: 1-8-57. Default—destruction.

23991. Mustard seed. (F. D. C. No. 39943. S. No. 53-326 M.)

QUANTITY: 62 100-lb. bags at New Orleans, La.

SHIPPED: 7-26-56, from Brooklyn, N. Y.

LIBELED: 2-7-57, E. Dist. La.

CHARGE: 402 (a) (3)—contained rodent pellets while held for sale.

DISPOSITION: 3-29-57. Default—destruction.

23992. Nutmegs. (F. D. C. No. 39856. S. No. 45-766 M.)

QUANTITY: 26 180-lb. bags of cracked nutmegs and 252 lbs. of ground nutmeg at Baltimore, Md.

SHIPPED: 10-11-56, from New York, N. Y.

LIBELED: On or about 2-1-57, Dist. Md.

CHARGE: 402 (a) (3)—contained insects and insect fragments while held for sale.

DISPOSITION: 2-28-57. Consent—claimed by Baltimore Spice Co., Baltimore, Md. Segregated; 887 lbs. destroyed.

23993. Paprika. (F. D. C. No. 40266. S. No. 14-561 M.)

QUANTITY: 29 110-lb. bags at St. Louis, Mo.

SHIPPED: 12-14-56, from Brooklyn, N. Y., by Morris J. Golombeck, Inc.

*See also No. 23972.