

PRODUCT: 20 109-pound bags of poppy seed at St. Louis, Mo.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae, pupae, cast skins, insect fragments, and rodent hair fragments.

DISPOSITION: September 15, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7331. Adulteration of whole, mixed pickling spice. U. S. v. 5 Bags of Pickling Spice. Default decree of condemnation and destruction. (F. D. C. No. 14674. Sample No. 89697-F.)

LABEL FILED: November 30, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about July 8, 1942, and May 3, 1943, by the Warfield Co. (Thomson and Taylor Division), from Chicago, Ill.

PRODUCT: 5 100-pound bags of pickling spice, at St. Louis, Mo.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, and insect fragments.

DISPOSITION: December 27, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS FOODS

7332. Adulteration of black paste, shade No. 2 (candy color). U. S. v. 2 Drums and 4 Drums of Black Paste. Default decree of condemnation and destruction. (F. D. C. No. 14472. Sample Nos. 72199-F, 72200-F.)

LABEL FILED: November 18, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about September 27 and October 10, 1944, by the Florasynth Laboratories, Inc., from New York, N. Y.

PRODUCT: 2 100-pound drums and 4 200-pound drums of black paste, at St. Louis, Mo.

This product was decomposed as the result of bacterial action.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: On or about December 19, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7333. Adulteration and misbranding of green color. U. S. v. 12 Cans of Green Color. Default decree of condemnation and destruction. (F. D. C. No. 14321. Sample No. 88277-F.)

LABEL FILED: October 27, 1944, District of Massachusetts.

ALLEGED SHIPMENT: On or about April 23, 1941, by the Premier Color Works, from New York, N. Y.

PRODUCT: 12 cans of green color, at Boston, Mass.

LABEL, IN PART: "Green Color DS-Oil Soluble A Harmless Color for Technical Use."

VIOLATIONS CHARGED: Adulteration, Section 402 (c), the product contained a coal-tar color that had not been listed for use in foods in accordance with the regulations, and was other than one from a batch that had been certified.

Misbranding, Section 403 (a), the label statement, "for Technical Use," was misleading since the article was offered for food use.

DISPOSITION: January 29, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7334. Misbranding of dessert powder. U. S. v. 205 Cases of Dessert Powder. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 14371. Sample Nos. 82848-F, 82849-F.)

LABEL FILED: November 3, 1944, Eastern District of New York.

ALLEGED SHIPMENT: On or about September 29 and October 6, 1944, by I. Rokeach & Sons, from Farmingdale, N. J.

PRODUCT: 205 cases, each containing 48 cartons, of dessert powder, at Brooklyn, N. Y.

LABEL, IN PART: "Rokeach Chocolate Flavored Dessert."

VIOLATION CHARGED: Misbranding, Section 403 (d), the container of the product was so filled as to be misleading since the carton containing the powder was only about half full.

DISPOSITION: January 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

7335. Adulteration of Supermelk. U. S. v. 195 Bags of Supermelk. Product ordered released under bond. (F. D. C. No. 13408. Sample No. 63727-F.)

LIBEL FILED: August 29, 1944, Western District of North Carolina.

ALLEGED SHIPMENT: On or about April 29, 1944, from Chicago, Ill.

PRODUCT: 195 95-pound bags of Supermelk, at Charlotte, N. C., in possession of Select Foods, Inc.

The product was stored under insanitary conditions after shipment; some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination of samples showed that the article contained rodent excreta.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 9, 1944. Select Foods, Inc., claimant, having admitted the allegations of the libel, judgment was entered ordering the release of the product under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

VITAMIN PREPARATIONS AND FOODS FOR SPECIAL DIETARY USES

7336. Adulteration and misbranding of B-Nutron Syrup. U. S. v. 50 Bottles, 29 Bottles and 21 Bottles of B-Nutron Syrup. Default decree of condemnation and destruction. (F. D. C. No. 14467. Sample No. 75764-F.)

LIBEL FILED: November 13, 1944, Western District of New York.

ALLEGED SHIPMENT: On or about July 27, 1944, by the Nion Corporation, from Los Angeles, Calif.

PRODUCT: 50 4-ounce bottles, 29 8-ounce bottles, and 21 1-pint bottles of B-Nutron Syrup, at Buffalo, N. Y.

Examination showed that the article contained not more than 365 U. S. P. units of vitamin B₁ per 5 cc.

LABEL, IN PART: "B-Nutron Syrup Nion."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B₁, had been in whole or in part omitted or abstracted from the product.

Misbranding, Section 403 (a), the label statement, "Each teaspoonful (5 cc.) contains Thiamine Chloride (B₁) 500 U. S. P. XII Units," was false since the article contained a lesser amount of vitamin B₁.

DISPOSITION: December 5, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7337. Misbranding of Bean-O-Bar. U. S. v. 30 Boxes of Bean-O-Bar. Default decree of condemnation and destruction. (F. D. C. No. 12416. Sample No. 52497-F.)

LIBEL FILED: May 24, 1944, District of Massachusetts.

ALLEGED SHIPMENT: On or about May 19, 1944, by Robert H. Haskins & Son, from Esmond, R. I.

PRODUCT: 30 boxes, each containing 24 1½-ounce bars, of Bean-O-Bar.

LABEL, IN PART: "Bean-O-Bar * * * Low in Carbohydrates for restricted diets. * * * Ingredients: Cocoa Powder, Cocoa Butter, Roasted Soy Yelkin, Sucrose."

VIOLATIONS CHARGED: Misbranding, Section 403 (j), (1) the article was represented as a food for special dietary uses by man by reason of its use as a means of regulating the intake of carbohydrates for the purpose of dietary management with respect to disease (diabetes), but its label failed to bear, as required by the regulations, the percent by weight of protein, fat, and available carbohydrates in the article, and the number of available calories supplied by a specified quantity; (2) the article was represented as a food for special dietary uses by man by reason of the presence therein of a constituent (saccharin) which is not utilized in normal metabolism, but its label failed to bear, as required by the regulations, the statement, "Contains...saccharin [or "saccharin salt," as the case may be], a non-nutritive artificial