

prominently placed thereon and in such terms as to render them likely to be read or understood by the ordinary individual under customary conditions of purchase and use, since the label of a portion of the product contained representations in foreign languages, Italian, German, French, and Spanish, and the label of the remainder of the product contained representations in a foreign language, Italian, and the labels did not bear in the foreign languages, as required by the regulations, the name and place of business of the manufacturer, packer, or distributor, an accurate statement of the quantity of the contents, and the common or usual name of each ingredient; Section 403 (i) (2), the product was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient; and, Section 403 (k), it contained artificial flavoring and artificial coloring and failed to bear labeling stating that fact.

DISPOSITION: March 23, 1944. A plea of guilty having been entered, imposition of sentence was suspended and the defendant was placed on probation for 6 months.

7878. Adulteration and misbranding of edible oil. U. S. v. 45 Cans of Edible Oil. Default decree of condemnation. Product ordered delivered to a government hospital. (F. D. C. No. 14610. Sample Nos. 94202-F, 94203-F.)

LIBEL FILED: November 29, 1944, Eastern District of New York.

ALLEGED SHIPMENT: On or about October 2, 1944, by the Caruso Products Distributing Co., from Newark, N. J.

PRODUCT: 45 1-gallon cans of edible oil at Brooklyn, N. Y. Analysis showed that the article consisted essentially of oil of the nature of soybean, with some peanut oil, and that it contained little or no olive oil. The article was short-volume.

LABEL, IN PART: (Cans) "Signora Brand Pure Oil Corn and Olive Oil One Gallon Net Packed for J. Guarino Newark, N. J."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), a substance consisting essentially of oil of the nature of soybean, with some peanut oil, and containing little or no olive oil, had been substituted in whole or in part for "Corn and Olive Oil," which the article was represented to be.

Misbranding, Section 403 (a), the label statement "Corn and Olive Oil" was false and misleading; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: January 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a government hospital, after withdrawal of samples by the Food and Drug Administration.

7879. Misbranding of salad oil. U. S. v. 825 Cases of Salad Oil. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 12396. Sample Nos. 60810-F, 61601-F, 61603-F.)

LIBEL FILED: May 16, 1944, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about March 24, 1944, by the Corn Products Refining Co., from Argo, Ill.

PRODUCT: 825 cases, each containing 24 bottles, of salad oil at New Orleans, La.

LABEL, IN PART: (Bottles) "Mazola Salad Oil One Pint Refined Corn Oil."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement "One Pint" was false and misleading as applied to a product that was short of volume; and, Section 403 (e) (2), the product was food in package form and it failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: December 30, 1944. The Corn Products Refining Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of an inspector of the Federal Security Agency.

POULTRY

7880. Adulteration and misbranding of frozen poultry. U. S. v. Edward Aaron & Co. Plea of guilty. Fine, \$210 and costs. (F. D. C. No. 12600. Sample No. 43347-F.)

INFORMATION FILED: November 3, 1944, Western District of Missouri, against Edward Aaron & Co., a partnership, Kansas City, Mo.

ALLEGED SHIPMENT: On or about August 23, 1943, from the State of Missouri into the State of Kansas.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed poultry.

Misbranding, Section 403 (e) (1), the product was in package form and it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), its label bore no statement of the quantity of the contents; and, Section 403 (i) (1), it failed to bear a label containing the common or usual name of the food.

DISPOSITION: November 27, 1944. A plea of guilty having been entered by the defendant, a fine of \$200 on the adulteration count and \$10 on the misbranding count, together with costs, was imposed.

7881. Adulteration of dressed poultry. U. S. v. Stork Brothers. Plea of guilty. Fine, \$150. (F. D. C. No. 12515. Sample Nos. 46537-F, 46538-F.)

INFORMATION FILED: November 30, 1944, District of Minnesota, against Stork Bros., a partnership, New Ulm, Minn.

ALLEGED SHIPMENT: Between the approximate dates of October 14 and November 18, 1943, from the State of Minnesota into the State of Illinois.

LABEL, IN PART: "Stork Bros. New Ulm Poultry."

VIOLATION CHARGED: Adulteration, Section 402 (a) (5), the product was in whole or in part the product of diseased animals, by reason of the presence, in one of the shipments, of poultry that was egg-bound, abscessed, and contained pus, and, in the other shipment, of poultry that was affected with cystic tumors, tuberculosis, liver degeneration, or other disease conditions; and it was in whole or in part the product of poultry that had died otherwise than by slaughter.

DISPOSITION: November 30, 1944. A plea of guilty having been entered, the defendant was fined \$75 on each count, a total fine of \$150.

7882. Adulteration of dressed poultry. U. S. v. 24 Boxes of Dressed Poultry. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15035. Sample No. 86578-F.)

LIBEL FILED: On or about December 7, 1944, Northern District of Illinois.

ALLEGED SHIPMENT: On November 26, 1944, by Mrs. George D. Tracy Poultry & Eggs, from Tracy, Minn.

PRODUCT: 24 boxes, each containing approximately 50 to 60 pounds, of dressed poultry, at Chicago, Ill.

LABEL, IN PART: (Tracing) "Fowl Class C [or other letter] 78070-2 Nov. 27 1944 60."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (5), it was in whole or in part the product of a diseased animal or of an animal that had died otherwise than by slaughter.

DISPOSITION: January 17, 1945. Lesserman and Keller, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for salvaging under the supervision of the Food and Drug Administration.

7883. Adulteration of dressed poultry. U. S. v. 141 Boxes of Dressed Poultry. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15166. Sample No. 13001-H.)

LIBEL FILED: January 26, 1945, Southern District of Ohio.

ALLEGED SHIPMENT: On or about January 11, 1945, by W. W. Durham, from Louisville, Ky.

PRODUCT: 141 boxes of dressed poultry, at Cincinnati, Ohio.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of decomposed birds; and, Section 402 (a) (5), it was in whole or in part the product of a diseased animal.

DISPOSITION: January 30, 1945. W. W. Durham, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product