

DISPOSITION: January 24, 1945. A plea of guilty having been entered, the defendant was fined \$50 on each count, a total fine of \$150.

7888. Adulteration of ginger root. U. S. v. 89 Boxes of Ginger Root. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15181. Sample No. 28705-H.)

LIBEL FILED: January 31, 1945, District of Colorado.

ALLEGED SHIPMENT: On or about January 13, 1945, by Wright, Mora and Gonzales, from El Paso, Tex.

PRODUCT: 89 50-pound boxes of ginger root, at Denver, Colo.

LABEL, IN PART: "Fresh or Green Ginger Made in Mexico."

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

DISPOSITION: February 6, 1945. H. M. Newhall & Co., San Francisco, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into conformity with the law, under the supervision of the Food and Drug Administration.

7889. Adulteration and misbranding of oil of lemon. U. S. v. 4 Barrels of Oil of Lemon (and 1 other seizure action against oil of lemon). Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 9962, 10317. Sample Nos. 11304-F, 11326-F to 11328-F, incl.)

LIBEL FILED: May 19 and July 30, 1943, Northern District of California.

ALLEGED SHIPMENT: From on or about August 24, 1942, to April 2, 1943, by Standard Synthetics, Inc., from New York, N. Y.

PRODUCT: 4 55-gallon barrels; 4 drums, each containing 393 pounds (or other weight); 2 drums, each containing 385 pounds; and 13 cases, each containing 2 25-pound cans of oil of lemon, at San Francisco, Calif.

LABEL, IN PART: "Oil Lemon [or "Oil of Lemon"] Baja Brand." All lots, with the exception of the 4 drums, were labeled or invoiced as "U. S. P." oil of lemon.

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), lemon oil distillate or distillates had been substituted in whole or in part for oil of lemon or oil of lemon U. S. P., which the article purported or was represented to be.

Misbranding, portion of the article, Section 403 (a), the label statements, "Oil Lemon" and "Oil Lemon * * * U. S. P.," were false and misleading as applied to a distillate or mixture of distillates of lemon oil and not lemon oil obtained by expression from the peel of lemon; Section 403 (b), the article was offered for sale under the name of another food; Section 403 (c), it was an imitation of another food and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; and, Section 403 (i) (2), it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient.

The article, with the exception of the 4-drum lot, was also alleged to be adulterated under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1267.

DISPOSITION: On February 16, 1944, the libel proceedings having been consolidated and removed to the Eastern District of New York for trial, and Standard Synthetics, Inc., claimant, having admitted the allegations of the libels, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

7890. Adulteration of Pan-American Sauce. U. S. v. 24 Cases and 21 Cases of Pan-American Sauce. Default decrees of condemnation and destruction. (F. D. C. Nos. 14983, 15050. Sample Nos. 67573-F, 13801-H.)

LIBELS FILED: January 10 and 11, 1945, Eastern District of Kentucky and Northern District of Ohio.

ALLEGED SHIPMENT: On or about August 30 and November 27, 1944, by the Finer Foods Packing Corporation, Terre Haute, Ind.

PRODUCT: 24 cases at Cleveland, Ohio, and 21 cases at Somerset, Ky., each case containing 24 14-ounce bottles of Pan-American Sauce.

LABEL, IN PART: "Pan-American Sauce Tomato Pulp, Beets, Carrots, Celery, Cracker Meal."