

PRODUCT: 13 128-pound bags and 1 125-pound bag of whole ginger at St. Louis, Mo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects and insect excreta.

DISPOSITION: March 26 and April 5, 1945. Joseph Frimel, Jr., trading as the Commercial Coffee Co., having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

8789. Adulteration of nutmegs. U. S. v. 1 Bag of Nutmegs. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15464. Sample No. 22626-H.)

LIBEL FILED: March 3, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about July 24, 1944, by Dalton Cooper, Inc., from Brooklyn, N. Y.

PRODUCT: 1 bag containing about 200 pounds of nutmegs at St. Louis, Mo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insects, insect fragments, and moldy nutmegs.

DISPOSITION: March 26, 1945. Joseph Frimel, Jr., doing business as the Commercial Coffee Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be destroyed or to be brought into compliance with the law. On April 18, 1945, an amended decree was entered, permitting the shipment of the nutmegs to New York to be sold for the purpose of recovering the volatile oils by distillation, under the supervision of the Food and Drug Administration.

MISCELLANEOUS FOOD PRODUCTS

8790. Misbranding of saponin. U. S. v. 550 Pounds and 9,300 Pounds of Saponin. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15416. Sample Nos. 17106-H, 17107-H.)

LIBEL FILED: On or about March 8, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: Between the approximate dates of September 9 and November 8, 1944, by the American Saponin Co., from San Bernardino, Calif.

PRODUCT: 9,850 pounds of saponin at Chicago, Ill. The product was to be used as an ingredient of food.

LABEL, IN PART: (Portions) "Saponin (Ex Yucca)," "Delson Foam Powder Non-Toxic Saponin," or "Delson Brand Yucca Cactus." The remainder of the product was unlabeled.

NATURE OF CHARGE: Misbranding, Section 403 (a), the names, "Saponin (Ex Yucca)," "Non-Toxic Saponin," and "Yucca Cactus" were false and misleading as applied to the product, which was a mixture of a powdered, foam-producing plant extractive, dehydrated sodium sulfate (glauber salt), magnesium sulfate epsom salt), and borax. The labeling was misleading since it failed to reveal the material fact that the product contained a poisonous substance, borax, and the laxative drugs, epsom salt and glauber salt; Section 403 (e), a portion of the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor and an accurate statement of the quantity of the contents; and, Section 403 (i) (2), the label of portions of the product failed to bear the common or usual name of each ingredient.

DISPOSITION: June 5, 1945. J. H. DeLamar & Son, Chicago, Ill., claimant, having admitted the facts of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured under the supervision of the Food and Drug Administration.

8791. Adulteration and misbranding of green color. U. S. v. 10 Packages of Green Color. Default decree of condemnation and destruction. (F. D. C. No. 15297. Sample No. 6445-H.)

LIBEL FILED: February 21, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about November 6, 1944, by the Briganti Extract Co., Inc., from Brooklyn, N. Y.