

MISCELLANEOUS FOODS

16398. Misbranding of canned sugared coconut and pineapple. U. S. v. 18 Cases * * *. (F. D. C. No. 28587. Sample Nos. 32595-K, 33938-K.)

LIBEL FILED: December 21, 1949, Northern District of California.

ALLEGED SHIPMENT: On or about June 10 and July 31, 1947, by the Standard Fruit Product Co., from Cincinnati, Ohio.

PRODUCT: 18 cases, each containing 6 104-ounce cans, of sugared coconut and pineapple at San Francisco, Calif.

LABEL, IN PART: "Sugarnut Quality Ice Cream Fruits and Flavors Coconut Pineapple Contents When Packed 104 Ounces Liquid Measure."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than 104 ounces liquid measure.)

DISPOSITION: February 13, 1950. Default decree of condemnation and destruction.

16399. Misbranding of potato salad. U. S. v. 67 Cases * * *. (F. D. C. No. 29075. Sample No. 79316-K.)

LIBEL FILED: April 20, 1950, District of Massachusetts.

ALLEGED SHIPMENT: On or about March 3 and 15, 1950, by Otto Seidner, Inc., from Westerly, R. I.

PRODUCT: 67 cases, each containing 12 jars, of potato salad at Boston, Mass.

LABEL, IN PART: "Shurfine Contents 1 Pint Potato Salad."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "1 Pint" was false and misleading since the product contained less than 1 pint; and, Section 403 (e) (2), the product was in package form, and it failed to bear a label containing an accurate statement of the quantity of the contents in terms of weight.

DISPOSITION: May 8, 1950. Otto Seidner, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Food and Drug Administration.

16400. Adulteration of Creme de Menthe Liquid Color No. 4923 (coal-tar color). U. S. v. 4 Carboys * * *. (F. D. C. No. 29027. Sample No. 73775-K.)

LIBEL FILED: March 30, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about February 8, 1950, by W. J. Bush & Co., Inc., from Linden, N. J.

PRODUCT: 4 5-gallon carboys of coal-tar color at Hudson, N. Y.

LABEL, IN PART: "5 Gal. Creme de Menthe Liquid Color No. 4923 Made from Certified Color Lot No. D7563 D9329 For Manufacturing Only."

NATURE OF CHARGE: Adulteration, Section 402 (c), the product contained a coal-tar color other than one from a batch that had been certified in accordance

with the regulations. (Examination disclosed that the product consisted of Brilliant Blue FCF and Tartrazine, coal-tar colors, dissolved in a mixture of water and propylene glycol.)

DISPOSITION: June 21, 1950. Default decree of condemnation and destruction.

INDEX TO NOTICES OF JUDGMENT F. N. J. NOS. 16351 to 16400

Products

	N. J. No.		N. J. No.
Apple butter.....	16380	Macaroni and noodle products....	16354
Bakery products.....	16351, 16352	Mackerel, frozen.....	16365
Beans.....	16381	Multivitalin Spheroids (tablets)...	16394
green, canned.....	16382	Nine Vitamin and Nine Mineral	
Brewers rice.....	16358	Spheroids (tablets).....	16396
Butter.....	16359-16362	Noodles. <i>See</i> Macaroni and	
Cake Cones.....	16352	noodle products.	
Catsup, tomato.....	16388	Nuts.....	16390, 16391
Cereals and cereal products.....	16351-	Parkamins Sylocaps.....	16395
	16358, 16381	Peaches, canned.....	16376
Chili, ground.....	16392	Pears, canned.....	16377
Coal-tar color.....	16400	Peas.....	16381
Coconut and pineapple, sugared,		Pecan meats.....	16390
canned.....	16398	Perch fillets, frozen.....	16366
Color, coal-tar.....	16400	Pistachio nuts.....	16391
Cones, ice cream.....	16352	Popcorn.....	16355, 16356
Cookies.....	16351	cheese-flavored.....	16356
Corn, canned.....	16383, 16384	Potato (es).....	¹ 16385, 16386
meal.....	16357	salad.....	16399
Crab meat.....	16373	Raspberries, black, dried.....	16379
Creme de Menthe Liquid Color		Rice.....	16357, 16381
No. 4923 (coal-tar color)....	16400	brewers.....	16358
Dairy products.....	16359-16362	Shellfish. <i>See</i> Fish and shellfish.	
Dwarfies wheat germ.....	16397	Shrimp, canned.....	16374
Eggs, frozen, whole.....	16363	frozen.....	16375
Fish and shellfish.....	16364-16375	Spices, flavors, and seasoning	
Flavors. <i>See</i> Spices, flavors, and		materials.....	16392, 16393
seasoning materials.		Tomato(es), canned.....	16387
Flour.....	16353	catsup.....	16388
Fruits and vegetables.....	¹ 16376-16389	puree.....	16389
fruit butter.....	16380	Vegetables. <i>See</i> Fruits and vege-	
canned.....	16376, 16377	tables.	
dried.....	16378, 16379	Vitamin, mineral, and other prod-	
tomatoes and tomato		ucts of special dietary signifi-	
products.....	16387-16389	cance.....	16394-16397
vegetables.....	¹ 16381-16386	Wheat germ, Dwarfies.....	16397
Horseradish.....	16393	Whiting, frozen.....	16367-16372
Ice cream cones.....	16352		

¹ (16385) Seizure contested. Contains opinion of the court.