

OIL

16897. Adulteration and misbranding of oil. U. S. v. 37 Cases * * * (and 8 other seizure actions). (F. D. C. Nos. 24916, 24920, 24923, 24925, 24929, 25000, 25002, 25775, 25981. Sample Nos. 2723-K, 2724-K, 4893-K, 6124-K, 8141-K, 8190-K, 12444-K, 12445-K, 12465-K, 12466-K, 12850-K, 12858-K, 45701-K to 45703-K, incl.)

LIBELS FILED: June 28, 29, and 30, July 2 and 7, September 23, and October 28, 1948, District of Massachusetts, Eastern District of Pennsylvania, District of Columbia, District of Connecticut, Northern District of Ohio, and the Eastern District of Missouri.

ALLEGED SHIPMENT: Between the approximate dates of March 9, 1948, and September 20, 1948, by Santuzza Oil Co., Inc., from Brooklyn, N. Y.

PRODUCT: Oil. 57 cases at Boston, Mass., 82 cases at Philadelphia, Pa., 37 cases at Washington, D. C., 73 cases at Hartford, Conn., 16 cases at Youngstown, Ohio, and 174 cases at St. Louis, Mo., each case containing 6 1-gallon cans; 19 cases, each containing 12 1-quart cans, and 5 cases, each containing 12 ½-gallon cans, at St. Louis, Mo.

LABEL, IN PART: (Can) "Santuzza Brand A Blend of 80% Corn and Peanut Oil 20% Pure Olive Oil" or "America's Finest A Blend of 90% Peanut Oil and 10% Pure Olive Oil."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, olive oil, had been in whole or in part omitted.

Misbranding, Section 403 (a), the label statements "20% Pure Olive Oil" and "10% Pure Olive Oil" were false and misleading as applied to articles containing little, if any, olive oil.

DISPOSITION: On November 18, 1948, the cases were ordered removed to the Southern District of New York and were consolidated. On December 20, 1950, Santuzza Oil Co., 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 for repackaging and relabeling, under the supervision of the Federal Security Agency.

16898. Adulteration and misbranding of oil. U. S. v. 4 Cases, etc. (and 1 other seizure action). (F. D. C. Nos. 26448, 28021. Sample Nos. 48207-K, 48215-K, 48216-K, 48529-K.)

LIBELS FILED: February 2 and October 3, 1949, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 5 and 29 and December 8, 1948, and January 3 and September 6, 1949, by Santuzza Oil Co., Inc., from Brooklyn, N. Y.

PRODUCT: Oil. 4 cases, each containing 12 ½-gallon cans; 75 cases, each containing 6 1-gallon cans; and 8 cases, each containing 12 1-quart cans, at Philadelphia, Pa.

LABEL, IN PART: (Can) "Santuzza Brand A Blend of 80% Corn and Peanut Oil 20% Pure Olive Oil."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, olive oil, had been in whole or in part omitted.

Misbranding, Section 403 (a), the label statement "20% Pure Olive Oil" was false and misleading as applied to an article which contained little if any, olive oil.

DISPOSITION: On December 27, 1950, the two cases were consolidated and Santuzza Oil Co., 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 for repackaging and relabeling, under the supervision of the Federal Security Agency.

POULTRY

16899. Adulteration of dressed poultry. U. S. v. Eagle Poultry Packers, Inc.
Plea of nolo contendere. Fine \$1,500. (F. D. C. No. 29620. Sample Nos. 13457-K, 73114-K.)

INFORMATION FILED: October 20, 1950, District of Delaware, against Eagle Poultry Packers, Inc., Frankford, Del.

ALLEGED SHIPMENT: On or about April 27 and May 4, 1950, from the State of Delaware into the States of New York and Pennsylvania.

LABEL, IN PART: (Portion) "Eagle Poultry."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of fecal material. In addition, 1 shipment consisted in part of a decomposed substance by reason of the presence of decomposed poultry, and was otherwise unfit for food by reason of the presence of extensively bruised poultry.

Further adulteration, Section 402 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 11, 1950. A plea of nolo contendere having been entered, the court fined the corporation \$1,500.

16900. Adulteration of frozen poultry. U. S. v. Harry Fortes (Meadowbrook Poultry Co.). Plea of nolo contendere. Fine, \$300. (F. D. C. No. 29444. Sample No. 42068-K.)

INFORMATION FILED: August 3, 1950. Northern District of Illinois, against Harry Fortes, trading as the Meadowbrook Poultry Co., Chicago, Ill.

ALLEGED SHIPMENT: On or about April 26, 1949, from the State of Illinois into the State of Michigan.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of decomposed birds, and was otherwise unfit for food by reason of the presence of emaciated, badly discolored, and improperly bled birds; and, Section 402 (a) (5), it was in whole or in part the product of a diseased animal.

DISPOSITION: January 11, 1951. A plea of nolo contendere having been entered, the court imposed a fine of \$300.

INDEX TO NOTICES OF JUDGMENT F. N. J. NOS. 16851 TO 16900

PRODUCTS

	N. J. No.		N. J. No.
Bakery products-----	16851, 16852	Bread-----	16851
Beans, kidney (in bags)-----	16889	Butter-----	16860-16868
Blueberry pie mix, canned-----	16886	Catsup, tomato-----	16896
		Cereals and cereal products---	¹ 16851-16859

¹ (16856) Preliminary injunction issued.