

18998. Adulteration of sesame seed. U. S. v. 1 Drum * * *. (F. D. C. No. 32667. Sample No. 35506-L.)

LIBEL FILED: February 13, 1952, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about November 25, 1951, from Baltimore, Md.

PRODUCT: 1 200-pound drum of sesame seed at Wausau, Wis.

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. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 8, 1952. A default decree of forfeiture was entered ordering that the product be denatured for use as animal feed.

18999. Adulteration and misbranding of black pepper and misbranding of blended black pepper. U. S. v. 3 Cases, etc. (F. D. C. No. 32514. Sample Nos. 31511-L to 31513-L, incl.)

LIBEL FILED: February 12, 1952, Eastern District of Missouri.

ALLEGED SHIPMENT: Between the approximate dates of October 17 and December 10, 1951, by the Arrow Spice & Food Co., from Dallas, Tex.

PRODUCT: Black pepper. 3 cases, each containing 48 1-pound cans, and 26 cases, each containing 4 6-pound cans, at St. Louis, Mo.

LABEL, IN PART: "Topmost Brand Pure Ground Black Pepper" and "Black Jack Brand Blended Black Pepper."

NATURE OF CHARGE: Topmost Brand. Adulteration, Section 402 (b) (2), a mixture of black pepper and cottonseed hulls had been substituted for pure black pepper. Misbranding, Section 403 (a), the label designation "Pure * * * Black Pepper" was false and misleading since the product was a mixture of black pepper and cottonseed hulls.

Black Jack Brand. Misbranding, Section 403 (a), the label designation "Blended Black Pepper" was false and misleading since the product was a mixture of cottonseed hulls, black pepper, wheat fragments, and capsicum; and, Section 403 (c), the product was an imitation of another food, and its label failed to bear the word "imitation" and immediately thereafter the name of the food imitated.

DISPOSITION: April 17, 1952. The Arrow Spice & Food Co., Dallas, Tex., 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 brought into compliance with the law, under the supervision of the Federal Security Agency. The product was relabeled.

19000. Adulteration and misbranding of prepared horseradish. U. S. v. 17 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 30719, 30720. Sample Nos. 6873-L, 6881-L.)

LIBELS FILED: March 21, 1951, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 1, 1950, and February 2 and 19, 1951, by the Bronx Home Food Products, from New York, N. Y.

PRODUCT: 31 cases, each containing 24 bottles, of prepared horseradish at Pittsburgh, Pa.

LABEL, IN PART: "Bronx Home Pure Prepared Horse Radish H. Treffinger, Bronx, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an artificially flavored mixture of grated horseradish and grated parsnip roots had been substituted for horseradish; and, Section 402 (b) (4), artificial flavor had been added to the product and mixed and packed with it so as to make it appear better or of greater value than it was.

Misbranding, Section 403 (a), the label designation "Pure Prepared Horse Radish" was false and misleading since the product was an artificially flavored mixture of grated horseradish and grated parsnip roots.

DISPOSITION: February 14, 1952. Default decrees of condemnation and destruction.

INDEX TO NOTICES OF JUDGMENT F. N. J. NOS. 18951 TO 19000

PRODUCTS

	N. J. No.		N. J. No.
Barley malt	18964	Meat and poultry	18986-18988
Beans, red, dried	18977	Mushrooms, fresh	18978
Beverages and beverage materials	¹ 18951, 18952	Noodles. <i>See</i> Macaroni and noodle products.	
Brazil nuts	18989	Nuts	18989-18995
Brewers rice	18961	Orange beverage	18952
Butter	18965, 18966	Oysters	18969-18972
Cereals and cereal products	18953-18964	Pastry flour	18957
Cheese, cottage, creamed, and skim milk cheese	18967	Peaches, canned	18976
Cherries, canned	18975	Peanuts, shelled	18990
Chickens, etc. <i>See</i> Meat and poultry.		Pecan pieces	18991
Coffee sweepings	¹ 18951	Pepper, black, and blended black pepper	18999
Cottage cheese, creamed	18967	Poultry. <i>See</i> Meat and poultry.	
Cumin seed	18996	Rice	18962, 18963
Dairy products	18965-18967	brewers	18961
Fish and shellfish	18968-18974	Sardines, canned	18968
Flavors. <i>See</i> Spices, flavors, and seasoning materials.		Sesame seed	18997, 18998
Flour	18953-18957	Shellfish. <i>See</i> Fish and shellfish.	
Fruits and vegetables	18952, 18975-18985	Shrimp, breaded	18973
fruit, canned	18975, 18976	canned	18974
tomatoes and tomato products	18980-18985	Spaghetti. <i>See</i> Macaroni and noodle products.	
vegetables	18977-18979	Spices, flavors, and seasoning materials	18996-19000
Gizzards, chicken, frozen	18988	Spinach, canned	18979
Ham	18986	Tomato (es), canned	18980
Horseradish, prepared	19000	juice	18981, 18982
Macaroni and noodle products	18958-18960	paste	18983, 18984
Malt, barley	18964	puree	18985
		Vegetables. <i>See</i> Fruits and vegetables.	
		Walnuts, shelled	18993, 18994
		unshelled	18992, 18995

¹ (18951) Seizure contested. Contains opinions of the courts.



U. S. Department of Health, Education, and Welfare
FOOD AND DRUG ADMINISTRATION

**NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD,
 DRUG, AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

19001-19050

FOODS

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the United States Department of Health, Education, and Welfare, and include, where indicated, the results of investigations by the Department, prior to the institution of the proceedings. Published by direction of the Secretary of Health, Education, and Welfare.

CHARLES W. CRAWFORD, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *May 4, 1953.*

CONTENTS

	Page		Page
Candy, chocolate, and sirup.....	2	Fruits and vegetables—Continued	
Candy.....	2	Frozen fruit.....	11
Chocolate.....	3	Miscellaneous fruit products.....	12
Sirup.....	3	Vegetables and vegetable prod-	
Cereals and cereal products.....	5	ucts.....	13
Flour.....	5	Tomatoes and tomato products...	15
Miscellaneous cereals.....	5	Meat and poultry.....	16
Dairy products.....	6	Nuts and nut products.....	17
Butter.....	6	Oils and fats.....	18
Cheese.....	7	Spices, flavors, and seasoning ma-	
Fish and shellfish.....	7	terials.....	19
Fruits and vegetables.....	9	Miscellaneous foods.....	20
Canned fruit.....	9	Index.....	21
Dried fruit.....	10		