

**SPICES, FLAVORS, AND SEASONING MATERIALS**

**19394. Adulteration of marjoram. U. S. v. 29 Bags \* \* \*. (F. D. C. No. 33399. Sample No. 41993-L.)**

**LIBEL FILED:** June 23, 1952, Northern District of California.

**ALLEGED SHIPMENT:** On or about September 28, 1951, from Arica, Chile.

**PRODUCT:** 29 bags of marjoram at San Francisco, Calif.

**LABEL, IN PART:** "25 Kilos Gross."

**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 live moth larvae, insect webbing, and excreta.

**DISPOSITION:** July 22, 1952. H. M. Newhall & Co. having appeared as claimant, 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 Food and Drug Administration. 1,383 pounds of the product were brought into compliance with the law by cleaning, and 170 pounds were destroyed.

**19395. Adulteration of red pepper hulls. U. S. v. 17,100 Pounds \* \* \*. (and 1 other seizure action). (F. D. C. Nos. 32683, 32858. Sample Nos. 10489-L, 10499-L.)**

**LIBELS FILED:** March 10, 1952, Eastern District of Michigan.

**ALLEGED SHIPMENT:** On or about November 13, 1951, by Harper & Bateman, from Hurlock, Md.

**PRODUCT:** 60 barrels containing a total of 17,100 pounds of red pepper hulls at Saginaw, Mich., and 22 barrels, each containing 285 pounds, of the product at Richmond, Mich.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and insect parts; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** April 28 and May 20, 1952. The Harper & Bateman Pickle Co., Hurlock, Md., having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the product be released under bond for reprocessing, under the supervision of the Federal Security Agency, so that it could be brought into compliance with the law.

**VITAMIN, MINERAL, AND OTHER PRODUCTS OF  
SPECIAL DIETARY SIGNIFICANCE\***

**19396. Adulteration and misbranding of vitamin D capsules. U. S. v. 9 Bottles, etc. (F. D. C. No. 32940. Sample No. 1632-L.)**

**LIBEL FILED:** On or about March 12, 1952, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about October 8, 1946, from Miami, Fla.

**PRODUCT:** Vitamin D capsules. 9 100-capsule bottles and 21 30-capsule bottles at Atlanta, Ga.

\*See also No. 19353.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted or abstracted from the product.

Misbranding, Section 403 (a), the label statement "Each Capsule Contains: \* \* \* Vitamin D (Irradiated Ergosterol) 1000 U. S. P. Units" was false and misleading since the product contained less than 1,000 U. S. P. units of vitamin D.

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

**DISPOSITION:** April 18, 1952. Default decree of condemnation and destruction.

**19397. Adulteration and misbranding of calcium with phosphorus tablets. U. S. v. 15 Cases, etc. (F. D. C. No. 33282. Sample No. 18420-L.)**

**LABEL FILED:** June 3, 1952, Southern District of New York.

**ALLEGED SHIPMENT:** On or about April 21, 1952, by the Live Food Products Co., from Burbank, Calif.

**PRODUCT:** 15 cases, each containing 12 bottles, and 1 case, containing 7 bottles, of calcium with phosphorus tablets at New York, N. Y. Each bottle contained 156 tablets.

**LABEL, IN PART:** (Bottle) "Bragg Calcium with Phosphorus, Vitamin D, Vitamin C, Iodine \* \* \* Ingredients: Six tablets supply: \* \* \* Vitamin D 1000 USP units \* \* \* Net contents 156 tablets."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted.

Misbranding, Section 403 (a), the label statement "Six tablets supply: \* \* \* Vitamin D 1000 USP units" was false and misleading. (Analysis disclosed that the article contained approximately 50 percent of the declared amount of vitamin D.)

**DISPOSITION:** October 3, 1952. Default decree of condemnation. The court ordered that samples of the product be delivered to the Food and Drug Administration and that the remainder be destroyed.

**19398. Adulteration and misbranding of sweet chocolate candy and sweet milk chocolate candy with almonds. U. S. v. 8 Boxes, etc. (and 1 other seizure action). (F. D. C. Nos. 33004, 33263. Sample Nos. 23420-L, 23421-L, 37883-L.)**

**LABELS FILED:** April 7 and May 23, 1952, Southern District of New York.

**ALLEGED SHIPMENT:** On or about October 31 and December 12, 1951, and March 18, 1952, by the Cook Chocolate Co., from Chicago, Ill.

**PRODUCT:** 8 boxes and 96 boxes, each containing 24 bars, of sweet chocolate candy, and 29 boxes and 96 boxes, each containing 24 bars, of sweet milk chocolate candy with almonds, at New York, N. Y.

Analyses disclosed that the 96-box lots of the sweet chocolate candy and the sweet milk chocolate candy with almonds contained approximately 20 percent of the declared amount of vitamin A; that the 8-box lot of the sweet chocolate candy contained approximately 608 International Units of vitamin A, 0.25 milligram of vitamin B<sub>1</sub>, 1.83 milligrams of vitamin B<sub>2</sub>, 15.2 milligrams of vitamin C, and 3.2 milligrams of niacinamide per bar; and that the 29-box lot of the sweet milk chocolate candy with almonds contained approximately 888 International Units of vitamin A, 0.46 milligram of vitamin B<sub>1</sub>, 1.90 milli-