

ALLEGED SHIPMENT: On or about July 10, 1951, and May 12, 1952, from the State of Texas into the States of New Mexico and Arkansas.

LABEL, IN PART: "Jocko Brand Tomato Catsup" and "Frost Brand Fresh Shelled Frost Brown Crowder Peas."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the tomato catsup consisted in part of a decomposed substance by reason of the presence of decomposed tomato material, and the canned Crowder peas consisted in whole or in part of a filthy substance by reason of the presence of insects and insect fragments.

DISPOSITION: December 1, 1952. Pleas of nolo contendere having been entered, the court fined the corporation \$500 and the individual \$200.

OILS AND FATS

1994. Adulteration and misbranding of table and cooking oil. U. S. v. 27 Cases * * *. Consent decree of condemnation; product ordered released under bond. Motion by Government to forfeit bond overruled. (F. D. C. No. 33152. Sample No. 36222-L.)

LABEL FILED: June 2, 1952, Northern District of Ohio.

ALLEGED SHIPMENT: On or about April 21, 1952, by the Columbus Packing Co., from Chicago, Ill.

PRODUCT: 27 cases, each containing 6 1-gallon cans, of table and cooking oil at Cleveland, Ohio.

LABEL, IN PART: "Columbus Brand * * * An excellent Blend of 80% Corn Oil and 20% Pure Imported Olive Oil."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, olive oil, had been in part omitted; and, Section 402 (b) (4), a vegetable oil containing less than 20 percent olive oil had been substituted for a blend of 80 percent corn oil and 20 percent olive oil.

Misbranding, Section 403 (a), the label statement "20% Pure * * * Olive Oil" was false and misleading.

DISPOSITION: August 18, 1952. The Central Wholesale Grocery Co., Cleveland, Ohio, 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.

On March 19, 1953, the Government filed a motion for the entry of an order forfeiting the bond on the ground that the claimant had not complied with the provisions of the decree in that it had disposed of a portion of the product without relabeling it. On June 19, 1953, the court overruled the motion on the ground that there was nothing to indicate that the court's order for the relabeling of the product had been wilfully violated.

1995. Adulteration and misbranding of chicken fat. U. S. v. 8 Cases * * *. (F. D. C. No. 34040. Sample No. 35856-L.)

LABEL FILED: October 22, 1952, Southern District of Ohio.

ALLEGED SHIPMENT: On or about September 18, 1952, by the Midwest Food Distributing Co., from Chicago, Ill.

PRODUCT: 8 cases, each containing 12 1-pound jars, of chicken fat at Cincinnati, Ohio.

LABEL, IN PART: "Carmel Brand Kosher Chicken Fat (Schmaltz) with added onions and vegetable shortening."

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

Misbranding, Section 403 (a), the label designation "Chicken Fat (Schmaltz)" was false and misleading since the product contained only 23 percent chicken fat.

DISPOSITION: December 17, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use and consumption by the inmates.

POULTRY

19946. Adulteration of dressed poultry. U. S. v. 420 Pounds * * *. (F. D. C. No. 33881. Sample No. 49521-L.)

LIBEL FILED: September 22, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about July 6, 7, and 8, 1952, by the B & B Poultry Co., from Norma, N. J.

PRODUCT: 420 pounds of dressed poultry in 6 crates at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal.

DISPOSITION: October 31, 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.

19947. Adulteration of canned fricassee of chicken wings. U. S. v. 228 Cases * * *. (F. D. C. No. 33973. Sample No. 35970-L.)

LIBEL FILED: September 30, 1952, Northern District of Ohio.

ALLEGED SHIPMENT: On or about August 13, 1952, by the Banquet Canning Co., from Marshall, Mo.

PRODUCT: 228 cases, each containing 12 3-pound, 2-ounce cans, of fricassee of chicken wings at Toledo, Ohio.

LABEL, IN PART: "Ready to Serve Banquet Fricassee of Chicken Wings * * * Net Weight 3 Lbs. 2 Oz."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: October 14, 1952. F. M. Stamper, owner and operator of the Banquet Canning Division of the F. M. Stamper Co., Marshall, Mo., having admitted that the product was adulterated, judgment was entered in which 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. The product was segregated, with the result that 38 cans of the product were found unfit and were destroyed.

SPICES, FLAVORS, AND SEASONING MATERIALS

19948. Adulteration of paprika. U. S. v. 2 Barrels, etc. (F. D. C. No. 34049. Sample No. 46414-L.)

LIBEL FILED: October 27, 1952, Southern District of Texas.

ALLEGED SHIPMENT: On or about December 13, 1951, from Spain.