

RESULTS OF INVESTIGATION: The article was in the possession of various Kansas City warehouses and retail stores. Some of the accompanying labeling was in the possession of Russell Brokerage Co. and some had been delivered to a retail store by Russell Brokerage Co. and set up with a display of the article.

LIBELED: 9-26-62, W. Dist. Mo.

CHARGE: 403(a)—when shipped and while held for sale, the labeling of the article contained false and misleading representations that the article was adequate and effective to promote health; control blood cholesterol levels; and for the prevention of heart disease, atherosclerosis, heart attacks and strokes.

DISPOSITION: 2-19-63. Default—labeling destroyed and the article delivered to a charity with the understanding that it not be sold.

28891. Mustard bran. (F.D.C. No. 48691. S. No. 19-034 V.)

QUANTITY: 68 100-lb. bags, at Oklahoma City, Okla.

SHIPPED: 5-7-62 and 6-11-62, from Kansas City, Mo.

LIBELED: 1-31-63, W. Dist. Okla.

CHARGE: 402(a)(3)—contained insects and insect larvae while held for sale.

DISPOSITION: 2-27-63. Default—delivered to a public institution for use as animal feed.

28892. Mustard seed. (F.D.C. No. 48266. S. No. 18-084 V.)

QUANTITY: 102 50-kilo bags, at Houston, Tex.

SHIPPED: 2-17-62, from Denmark.

LIBELED: 11-1-62, S. Dist. Tex.

CHARGE: 402(a)(3)—contained insects and insect larvae while held for sale.

DISPOSITION: 12-20-62. Consent—claimed by United States Coffee & Tea Co., Dallas, Tex. Segregated; 859 lbs. destroyed.

28893. Saffron. (F.D.C. No. 48950. S. No. 79-054 V.)

QUANTITY: 4 unlabeled 1-lb. cans, at Chicago, Ill.

SHIPPED: 10-31-62, from New York, N.Y., by H. Shoenfeld & Sons, Inc.

RESULTS OF INVESTIGATION: Analysis showed that the article contained approximately 19 percent potassium nitrate.

LIBELED: 5-7-63, N. Dist. Ill.

CHARGE: 402(a)(2)(C)—when shipped, the article contained a food additive, namely, potassium nitrate, which was unsafe within the meaning of 409, since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409; 402(b)(2)—potassium nitrate had been substituted wholly or in part for saffron; 403(e)—the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of the contents; and 403(i)—the article failed to bear a label containing (1) the common or usual name of the food, and (2) the common or usual name of each ingredient.

DISPOSITION: 6-11-63. Default—destruction.

28894. Sauce and gravy seasoning. (F.D.C. No. 48624. S. No. 12-018 V.)

QUANTITY: 12 cases, each containing 12 1-qt. btls., at Chicago, Ill.

SHIPPED: On an unknown date, from Ozone Park, N.Y.