

6579. Misbranding of soup mix. U. S. v. 400 Cases of Soup Mix. Consent decree of condemnation. Product ordered released under bond to be repackaged and relabeled. (F. D. C. No. 9578. Sample No. 14748-F.)

LIBEL FILED: On or about March 26, 1943, Northern District of Illinois.

ALLEGED SHIPMENT: On or about March 1, 1943, by the French-Kitchen Foods Corp., of Chatsworth, Calif., from Los Angeles, Calif.

PRODUCT: 400 cases, each containing 24 2½-ounce cartons of soup mix at Chicago, Ill.

The article consisted of a finely powdered substance in a wax paper bag which was placed in a cardboard carton. The contents occupied approximately 48 percent of the volume of the carton.

LABEL, IN PART: (Cartons) "French-Kettle Brand Dehydrated Famous French Style Split-Pea Soup Mix Puree with Noodles."

VIOLATION CHARGED: Misbranding, Section 403 (d), the container of the article was so made, formed, and filled as to be misleading.

DISPOSITION: April 21, 1944. French-Kitchen Foods Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be repackaged into bulk containers and relabeled for sale to restaurants or institutions, under the supervision of the Food and Drug Administration.

6580. Adulteration of noodle soup mix. U. S. v. 139 Cases of Noodle Soup Mix. Default decree of condemnation and destruction. (F. D. C. No. 11762. Sample Nos. 50644-F, 51168-F.)

LIBEL FILED: February 7, 1944, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 13, 1942, from Chicago, Ill.

PRODUCT: 139 cases, each containing 28 2½-pound packages, of noodle soup mix at Philadelphia, Pa., in possession of the Food Fair Stores, Inc.

The product had been stored under insanitary conditions after shipment. Rodents had gnawed through some of the cases and had tunneled through the individual packages. Rodent pellets were found in the cases, and examination showed that the product contained rodent hair fragments, insects, and insect fragments.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 1, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6581. Misbranding of spaghetti gravy. U. S. v. 330 Cases of Spaghetti Gravy. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 11525. Sample No. 41512-F.)

LIBEL FILED: December 31, 1943, Southern District of Alabama.

ALLEGED SHIPMENT: On or about October 21 and November 17, 1943, by the Uddo & Taormina Co., Crystal Springs, Miss.

PRODUCT: 330 cases, each containing 24 10-ounce cans, of spaghetti gravy at Mobile, Ala.

LABEL IN PART: (Cans) "Giardiniera Ready Gravy * * * Spaghetti Gravy contains * * * Pure Virgin Olive Oil * * * Packed by La Sierra Heights Canning Co. Los Angeles, Calif."

VIOLATION CHARGED: Misbranding, Section 403 (a), the statement "Pure Virgin Olive Oil" in bold capital letters on the can was misleading as applied to the article, which contained very little olive oil.

DISPOSITION: February 11, 1944. The Uddo & Taormina Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

6582. Misbranding of Yur-Jel. U. S. v. 22 Pails of Yur-Jel. Default decree of condemnation and destruction. (F. D. C. No. 10258. Sample No. 37698-F.)

LIBEL FILED: July 14, 1943, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about February 19, 1943, by the I. Kalfus Co., Inc., New York, N. Y.