

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

DISPOSITION: June 10, 1946. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

9992. Adulteration of shelled pecans. U. S. v. 31 Cartons and 34 Cartons of Shelled Pecans. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 20408, 20409. Sample Nos. 52730-H, 52731-H.)

LIBELS FILED: July 16, 1946, Northern District of Ohio.

ALLEGED SHIPMENT: On or about March 14, 1946, by J. R. Fleming and Co., from Weatherford, Tex.

PRODUCT: 65 60-pound cartons of shelled pecans at Cleveland, Ohio.

LABEL, IN PART: "Texas Bluebonnet (Brand) Shelled Pecans."

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 larvae.

DISPOSITION: August 13, 1946. J. R. Fleming and Co., Inc., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond to be disposed of in compliance with the law, under the supervision of the Food and Drug Administration.

9993. Adulteration of walnuts. U. S. v. Consolidated Nut Co., and Carl O. Bashaw. Pleas of nolo contendere. Each defendant fined \$200; fine against individual defendant remitted. (F. D. C. No. 17853. Sample Nos. 18988-H, 27223-H, 30858-H, 30859-H.)

INFORMATION FILED: April 8, 1946, Southern District of California, against the Consolidated Nut Co., a partnership, Los Angeles, Calif., and Carl O. Bashaw, a partner.

ALLEGED SHIPMENT: On or about May 22, 1945, from the State of California into the State of Washington.

LABEL, IN PART: "Golden Bear Shelled California Walnuts * * * Pacific Groc. Co. Everett Wash."

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 insect-infested nuts.

DISPOSITION: May 6, 1946. Pleas of nolo contendere having been entered, fines of \$200 were imposed against each defendant; the fine against the individual defendant was remitted.

OILS AND FATS

9994. Adulteration of French dressing. U. S. v. 40 Cases of French Dressing. Default decree of condemnation and destruction. (F. D. C. No. 19935. Sample Nos. 30670-H, 30677-H.)

LIBEL FILED: May 22, 1946, District of Arizona.

ALLEGED SHIPMENT: On or about February 25, 1946, by Old World Foods, Inc., from Los Angeles, Calif.

PRODUCT: 40 cases, each containing 24 pint bottles, of French dressing at Phoenix, Ariz. Examination showed that the product was undergoing fermentation.

LABEL, IN PART: "Barra's Burgundy Wine Dressing * * * The Barra Co. Los Angeles, California."

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

DISPOSITION: August 16, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9995. Adulteration and misbranding of French dressing. U. S. v. 50 Cases of French Dressing. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19801. Sample No. 59649-H.)

LIBEL FILED: April 30, 1946, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about March 28, 1946, by the Daniels Food Products Co., from Chicago, Ill.

PRODUCT: 50 cases, each containing 24 8-ounce bottles, of French dressing at Pittsburgh, Pa. Examination showed that the product was an artificially

colored diluted vinegar with some flavoring and gum. It contained less than one percent of oil, an integral part of French dressing.

LABEL, IN PART: "La-Fay French Dressing."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, oil, had been in whole or in part omitted from the article.

Misbranding, Section 403 (b), the designation "French Dressing," appearing on the label, was false and misleading; and, Section 403 (b), the article was offered for sale under the name of another food.

DISPOSITION: May 17, 1946. The Daniels Food Products Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

9996. Adulteration of salad dressing. U. S. v. 25 Cases, 11 Cases, and 40 Cases of Salad Dressing. Default decrees of condemnation and destruction. (F. D. C. Nos. 20078, 20079. Sample Nos. 52880-H to 52882-H, incl.)

LIBELS FILED: June 10, 1946, Western District of Kentucky.

ALLEGED SHIPMENT: On or about May 3 and 10, 1946, by the Adler Mayonnaise Co., from Evansville, Ind.

PRODUCT: 36 cases, each containing 24 pint bottles, and 40 cases, each containing 24 half-pint bottles, of salad dressing at Henderson, Ky. The product contained monochloroacetic acid, which is unsafe within the meaning of the law since it is a substance not required in the production of the food and could have been avoided by good manufacturing practice.

LABEL, IN PART: "Tops All Brand Salad Dressing."

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the product contained an added poisonous and deleterious substance.

DISPOSITION: July 8, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

9997. Adulteration of salad dressing. U. S. v. 10 Cases of Salad Dressing. Default decree of condemnation and destruction. (F. D. C. No. 19780. Sample No. 10884-H.)

LIBEL FILED: April 23, 1946, Western District of New York.

ALLEGED SHIPMENT: On or about February 4, 1946, by U. S. Brands, Inc., from Cleveland, Ohio.

PRODUCT: 10 cases, each containing 4 1-gallon jars, of salad dressing at Buffalo, N. Y.

LABEL, IN PART: "Sar-a-Lee Salad Dressing This product consists of edible vegetable oil * * * cane sugar, egg yolk, cider and distilled vinegar, cereal, salt, tapioca, imported gum and spices Manufactured By The Sar-a-Lee Company, Cleveland, Ohio."

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the article contained an added poisonous and deleterious substance, monochloroacetic acid, which is unsafe within the meaning of the law since it is a substance not required in the production of the article and could have been avoided by good manufacturing practice; Section 402 (b) (2), an article containing saccharin had been substituted in whole or in part for salad dressing containing cane sugar; and, Section 402 (b) (4), saccharin had been mixed and packed with the article so as to reduce its quality or strength and make it appear better and of greater value than it was.

DISPOSITION: May 20, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9998. Adulteration of mayonnaise. U. S. v. 8 Cases and 8 Jars of Mayonnaise. Default decree of condemnation and destruction. (F. D. C. No. 19691. Sample Nos. 1193-H, 1194-H.)

LIBEL FILED: May 1, 1946, Western District of North Carolina.

ALLEGED SHIPMENT: On or about March 7 and 13, 1946, by Scarborough Brothers of Gastonia, N. C., from Columbia, S. C.

PRODUCT: 8 cases, each containing 12 quarts, of mayonnaise and 8 pint jars of the same product at Bessemer City, N. C.

LABEL, IN PART: "Caldwell's Mayonnaise * * * Made By Caldwell's Cafeteria, Columbia, S. C. Distributed By Dixie Produce Co., Columbia, S. C. * * * Made With Mineral Oil," or "Caldwell's Mayonnaise Contains Min-