

production of the article and could have been avoided by good manufacturing practice.

DISPOSITION: August 22, 1947. Default decree of condemnation and destruction.

12762. Adulteration of soy sauce. U. S. v. 26 Cases * * *. (F. D. C. No. 23384. Sample No. 62671-H.)

LIBEL FILED: July 30, 1947, Northern District of California.

ALLEGED SHIPMENT: On or about June 5, 1947, by the N. B. C. Insecticide Co., from Pueblo, Colo.

PRODUCT: 26 cases, each containing 4 1-gallon jugs, of soy sauce at Sacramento, Calif. Examination showed that the product contained 132 parts per million of monochloroacetic acid.

LABEL, IN PART: "Homare Brand Shoyu Soy Sauce."

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.

DISPOSITION: August 22, 1947. Default decree of condemnation and destruction.

12763. Adulteration of soy sauce. U. S. v. 9 Cases * * *. (F. D. C. No. 23417. Sample No. 62699-H.)

LIBEL FILED: August 18, 1947, Northern District of California.

ALLEGED SHIPMENT: On or about July 9, 1947, by the Rocky Mountain Pickle Co., from Denver, Colo.

PRODUCT: 9 cases, each containing 24 8-ounce jars, of soy sauce at Walnut Grove, Calif. Analysis showed that the product contained approximately 10 parts per million of arsenic.

LABEL, IN PART: "Rocky Brand Shio Konbu Ingredients: Seaweed, Soy Sauce, Salt, and Corn Sugar Syrup."

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

DISPOSITION: September 18, 1947. Default decree of condemnation and destruction.

12764. Misbranding of soy sauce. U. S. v. 5 Cases * * *. (F. D. C. No. 23753. Sample No. 89157-H.)

LIBEL FILED: September 23, 1947, District of Colorado.

ALLEGED SHIPMENT: On or about August 8, 1947, by the Showa Shoyu Brewing Corp., from Glendale, Ariz.

PRODUCT: 5 cases, each containing 24 cans, of soy sauce at Denver Colo.

LABEL, IN PART: (Cans) "Net contents 20 Oz. Liquid Marusho Shoyu Contents Selected Soy Beans, Water, Purest of Salt and Wheat."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (The article was short-volume.)

DISPOSITION: November 13, 1947. Default decree of condemnation. The product was ordered delivered to a charitable institution.

12765. Adulteration of Miso (Japanese condiment). U. S. v. 21 Pails, etc. (F. D. C. No. 24421. Sample Nos. 29138-K, 29139-K.)

LIBEL FILED: January 23, 1948, District of Colorado.

ALLEGED SHIPMENT: On or about December 24, 1947, by Fujimoto & Co., from Salt Lake City, Utah.

PRODUCT: 21 pails, each containing 10 pounds, and 32 cartons, each containing 5 pounds, of Miso at Denver, Colo.

LABEL, IN PART: "Miso Prepared with Rice, Soy Beans and Salt $\frac{1}{10}$ of 1% Benzoate of Soda."

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 insect fragments and rodent hair fragments; and, Section 402 (a) (4), it had been pre-

pared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 30, 1948. Fujimoto & Co. having executed an acceptance of service and authorization for the taking of a final decree, judgment of condemnation was entered and the product was ordered destroyed.

12766. Misbranding of Makamix (sirup flavor). U. S. v. 40 Cartons * * *.
(F. D. C. No. 23362. Sample No. 82542-H.)

LIBEL FILED: July 16, 1947, Western District of Washington. On September 24, 1947, the case was transferred to the Northern District of Indiana.

ALLEGED SHIPMENT: On or about November 3, 1946, by the Jel Sert Co., from Chicago, Ill.

PRODUCT: 40 cartons, each containing 12 5-ounce packages, of sirup flavor at Seattle, Wash.

LABEL, IN PART: "Makamix."

NATURE OF CHARGE: Misbranding, Section 403 (a), the following statements in the labeling were misleading: (Carton) "Make your own syrup with Makamix 5 packages makes 5 pints of delicious syrup"; (package) "Makamix for making delicious pancake and waffle syrup composed of dextrose"; and (pamphlet) "Makes 5 pints of delicious pancake or waffle syrup." These statements represented and suggested that the article would make table sirup when mixed with water, whereas the article would make a slightly sweetened artificially colored and flavored water solution of dextrose. Further misbranding, Section 403 (k), the article contained artificial flavoring and failed to bear labeling stating that fact.

DISPOSITION: December 20, 1947. The sole intervener having consented to the entry of the decree, judgment of condemnation was entered and the product was ordered delivered to a charitable institution, after being marked "Condemned as misbranded and not to be sold."

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

12767. Adulteration of dietary aids. U. S. v. Frank W. Bower (Bower Family Laboratories). Plea of nolo contendere. Fine, \$100. (F. D. C. No. 20192. Sample Nos. 27852-H, 27853-H.)

INFORMATION FILED: November 20, 1946, Southern District of California, against Frank W. Bower, trading as Bower Family Laboratories, Sierra Madre, Calif.

ALLEGED SHIPMENT: On or about June 2, 1945, from the State of California into the State of Washington.

LABEL, IN PART: "Dex-Tro-Bese No. 11 A Dietary Aid," or "Dex-Tro-Special No. 20 A Dietary Aid."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents of the articles, calcium, phosphorus, and iron, had been in part omitted and abstracted from them. Four heaping teaspoonfuls of the articles were represented to contain 985 milligrams of calcium, 750 milligrams of phosphorus, and 17.50 milligrams of iron, whereas 4 heaping teaspoonfuls of the articles actually contained less calcium, phosphorus, and iron than represented.

DISPOSITION: December 23, 1946. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$50 on each count, a total fine of \$100.

12768. Adulteration and misbranding of brewer's yeast tablets and Bex. U. S. v. William T. Thompson Company, a Corporation, and William T. Thompson. Pleas of nolo contendere. Corporation fined \$4; William T. Thompson given suspended sentence and 5 years' probation, conditioned that he pay a fine of \$1,000 and donate a certain sum to charity. (F. D. C. No. 21528. Sample Nos. 30659-H, 30686-H.)

INFORMATION FILED: February 6, 1947, Southern District of California, against the William T. Thompson Co., a corporation, Los Angeles, Calif., and William T. Thompson, president.

ALLEGED SHIPMENT: January 16 and May 8, 1946, from the State of California into the State of Arizona.

*See also Nos. 12649, 12650.