

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents had been in whole or in part omitted or abstracted from the articles, since there was no strontium nitrate in either of the articles and since there was materially less than 19.5 percent of lime (Ca) and materially less than 2.5 percent of phosphorus (P) in the Moregg.

The information consisted of 3 counts, 2 charging violation under the provisions of the law applicable to foods, as reported herein. The remaining count involved another product, Wormine, and charged misbranding of that product under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 2143.

DISPOSITION: November 6, 1946. A plea of guilty having been entered, the court imposed a fine of \$200 on each count, plus costs.

12786. Adulteration and misbranding of Farm Master Mineral Block. U. S. v. 28 * * *. (F. D. C. No. 21814. Sample No. 49989-H.)

LIBEL FILED: December 5, 1946, Northern District of Texas.

ALLEGED SHIPMENT: On or about August 14, 1946, by Sears, Roebuck & Co., from Kansas City, Mo.

PRODUCT: 28 mineral blocks for cattle at Dallas, Tex.

LABEL, IN PART: "Farm Master Mineral Block for Cattle and Hogs."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 15 percent calcium, 3.30 percent phosphorus, and 0.05 percent iodine had been substituted for a product containing not less than 15 percent calcium, 3.30 percent phosphorus, and 0.05 percent iodine.

Misbranding, Section 403 (a), the label statement, "Calcium (Ca), not less than 15.00% Phosphorus, not less than 3.30% Iodine, not less than 0.05%," was false and misleading.

DISPOSITION: January 22, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution.

MISCELLANEOUS FOODS

12787. Adulteration of Olive-Naise. U. S. v. 9 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 22306, 22489, 22490. Sample Nos. 63981-H, 64760-H, 66025-H.)

LIBELS FILED: February 8 and March 5, 1947, Northern District of New York and District of New Jersey.

ALLEGED SHIPMENT: Between the approximate dates of November 7 and 19, 1946, by Mrs. Schlörer's, Inc., from Philadelphia, Pa.

PRODUCT: Olive-Naise. 9 cases at Atlantic City, N. J.; and 132 cases at Oneonta, N. Y., and 8 cases at Syracuse, N. Y. Each case contained 24 ½-pint jars of the product.

LABEL, IN PART: "Mrs. Schlörer's Olive-Naise."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), 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 this article and could have been avoided by good manufacturing practice.

DISPOSITION: March 10 and 28, 1947. No claimant having appeared for any of the lots, judgments of condemnation were entered and the product was ordered destroyed.

12788. Adulteration and misbranding of lemon pie crust and filling and chocolate pie crust and filling. U. S. v. 9 Cases, etc. (F. D. C. No. 24296. Sample Nos. 10265-K, 10266-K.)

LIBEL FILED: January 6, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about October 23, 1947, by 6-O'clock Foods, Inc., from Norristown, Pa.

PRODUCT: 9 cases, each containing 24 packages, of lemon pie crust and filling and 12 cases, each containing 24 packages, of chocolate pie crust and filling, at Kingston, N. Y.

LABEL, IN PART: "7-Minit Complete Lemon Pie Crust and Filling Ingredients: Flour, shortening, corn starch, fruit acid, lemon oil, salt, baking powder and

certified color * * * Directions * * * Add $\frac{1}{2}$ cup sugar * * * Add 1 egg," and "7-Minit Complete Chocolate Pie Crust and Filling Ingredients: Flour, shortening, corn starch, cocoa, salt, baking powder and artificial flavoring * * * Directions * * * Add sugar to taste ($\frac{1}{2}$ cup) * * * Stir in slowly $\frac{1}{2}$ cup cold milk. * * * Then add 2 more cups cold milk."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents of lemon pie filling, eggs, sugar, and lemon juice, and valuable constituents of chocolate pie filling, sugar and milk, had been in whole or in part omitted.

Misbranding, Section 403 (a), the label designations "Complete Lemon Pie Crust and Filling" and "Complete Chocolate Pie Crust and Filling" were false and misleading as applied to products which would not make complete pie fillings, since they required the addition of ingredients by the purchaser.

DISPOSITION: January 28, 1948. No claimant having appeared, judgment of condemnation was entered and the products were ordered delivered to a charitable institution.

12789. Adulteration and misbranding of lemon pie filling. U. S. v. 397 Boxes
* * *. (F. D. C. No. 23776. Sample No. 6203-K.)

LIBEL FILED: September 25, 1947, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 12, 1947, by the Atlantis Sales Corporation, from Rochester, N. Y.

PRODUCT: 397 boxes, each containing 48 cartons, of pie filling at Pittsburgh, Pa. Examination showed that the product was a combination of a powder consisting essentially of a mixture of starch and sugar artificially colored with a yellow coal-tar dye, a tablet of citric acid, and a capsule containing lemon oil.

LABEL, IN PART: (Cartons) "Good Luck Lemon Flavor Pie Filling Use With Egg, Net Wt. $4\frac{1}{2}$ Oz. Manufactured by Good Luck Food Co., Inc., Rochester, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), the article was represented as a lemon-flavor pie filling, and valuable ingredients, eggs, sugar, and lemon juice, necessary to make a lemon-flavor pie filling had been in whole or in part omitted.

Misbranding, Section 403 (a), the designation "Pie Filling" was false and misleading, since the article was not a pie filling.

DISPOSITION: October 22, 1947. The Atlantis Sales Corporation, 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.

12790. Adulteration of meat substitutes. U. S. v. 10 Cases of Zoyburger (and 1 other seizure action against various meat substitutes). (F. D. C. Nos. 23807, 23865. Sample Nos. 8744-K to 8749-K, incl., 15303-K.)

LIBELS FILED: On October 20 and 23, 1947, Southern District of New York and Northern District of Illinois.

ALLEGED SHIPMENT: On or about September 2, 8, and 19, 1947, by Madison Foods, from Madison College, Tenn.

PRODUCT: 10 cases, each containing 24 1-pound, 4-ounce cans, of Zoyburger at Chicago, Ill., and 120 cases, each containing 24 1-pound, 4-ounce cans, of various meat substitutes at New York, N. Y.

LABEL, IN PART: "Zoyburger," "Yum A Madison Food," "Stake-Lets," "Vigoroost Made of Gluten, Soy Cheese," "Soy Cheese Soy Bean Curd with Soy Oil," or "Not-Meat A Tasty Meatless Loaf."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of rodent hair fragments, insects, and insect fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: November 26, 1947, and January 29, 1948. Default decrees of condemnation and destruction.

12791. Adulteration of spaghetti sauce with meat balls. U. S. v. 37 Cases
* * *. (F. D. C. No. 20671. Sample No. 60162-H.)

LIBEL FILED: August 16, 1946, Western District of Pennsylvania.