

in whole or in part of a filthy substance by reason of the presence of rodent excreta, cockroach excreta, and live mites; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: August 31, 1948. Abe Goldstein, trading as the Frisco Bakers Supply Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be cleaned under the supervision of the Food and Drug Administration, so that all foreign substances would be removed.

14088. Adulteration of mustard seed. U. S. v. 330 Bags * * *. (F. D. C. No. 25667. Sample No. 32394-K.)

LIBEL FILED: September 27, 1948, Northern District of California.

ALLEGED SHIPMENT: On or about June 2, 1948, from Sunburst, Mont.

PRODUCT: 330 100-pound bags of mustard seed in the possession of the H. J. Heinz Co., Berkeley, Calif.

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 rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 27, 1948. The H. J. Heinz Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the salvage of the fit portion, under the supervision of the Federal Security Agency. The urine-contaminated portion of the product, consisting of 690 pounds, was removed and destroyed.

14089. Adulteration of poppy seed. U. S. v. 35 Bags * * *. (F. D. C. No. 25715. Sample No. 31778-K.)

LIBEL FILED: October 15, 1948, Southern District of California.

ALLEGED SHIPMENT: On or about April 16, 1948, from The Netherlands.

PRODUCT: 35 100-pound bags of poppy seed at Terminal Island, Calif.

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 rodent hairs and rodent urine; and Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 1, 1948. D. Hecht & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for separation of the fit from the unfit, under the supervision of the Federal Security Agency. The salvage operations resulted in the recovery of 1,596 pounds, the destruction of 1,800 pounds, and a loss of 104 pounds during the operations.

14090. Adulteration of white pepper U. S. v. 1 Barrel * * *. (F. D. C. No. 25739. Sample No. 1303-K.)

LIBEL FILED: On or about September 14, 1948, Northern District of Georgia.

ALLEGED SHIPMENT: On or about March 25, 1948, from St. Louis, Mo.

PRODUCT: 1 175-pound barrel of white pepper at Atlanta, Ga.

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 insects. It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 12, 1948. Default decree of condemnation and destruction.

14091. Adulteration of thyme leaves. U. S. v. 108 Bags * * *. (F. D. C. No. 25817. Sample No. 9570-K.)

LIBEL FILED: October 14, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about July 17, 1943, from New Orleans, La.

PRODUCT: Thyme leaves. 108 bags at New York, N. Y.

NATURE OF CHARGE: The article was adulterated while held for sale after shipment in interstate commerce under Section 402 (a) (3), in that it consisted in whole or in part of a filthy substance by reason of the presence of insects.

DISPOSITION: November 1, 1948. Default decree of condemnation and destruction.

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

14092. Adulteration and misbranding of Vi-et Tablets. U. S. v. Cerophyl Laboratories, Inc. Plea of nolo contendere. Fine of \$250 and costs. (F. D. C. No. 25577. Sample No. 20291-K.)

INFORMATION FILED: October 18, 1948, Western District of Missouri, against Cerophyl Laboratories, Inc., Kansas City, Mo.

ALLEGED SHIPMENT: On or about February 13, 1948, from the State of Missouri into the State of Nebraska.

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

Misbranding, Section 403 (a), the label statement "Vitamin Content of Vi-et Per 5 Grams (10 Tablets) * * * D Irradiated ergosterol 400 USP" was false and misleading since each 5 grams (10 tablets) of the article contained less than 400 U. S. P. units of vitamin D.

DISPOSITION: November 29, 1948. A plea of nolo contendere having been entered, the court imposed a fine of \$250 and costs.

14093. Adulteration and misbranding of Harmony Vitamins. U. S. v. 12 Boxes * * *. (F. D. C. No. 25783. Sample No. 18271-K.)

LIBEL FILED: October 5, 1948, Northern District of Ohio.

ALLEGED SHIPMENT: About the year 1943, from Jersey City, N. J.

PRODUCT: 12 boxes, each containing 12 cartons, of vitamin capsules at Tiffin, Ohio. Each carton contained 28 vitamin capsules.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, vitamin A, vitamin B₁, and vitamin D, had been in part omitted and abstracted from the product.

Misbranding, Section 403 (a), the label statements "Each capsule contains Vitamin A (Fish Liver Oil) 4000 U. S. P. Units (Adult min. daily requirement is 4000 U. S. P. Units) Thiamine Hydrochloride (Vitamin B₁) 333 U. S. P. Units (Adult min. daily requirement is 333 U. S. P. Units) Vitamin D (Activated

*See also No. 13960.