MISCELLANEOUS FOODS

16398. Misbranding of canned sugared coconut and pineapple. U. S. v. 18 Cases * * *. (F. D. C. No. 28587. Sample Nos. 32595–K, 33938–K.)

LIBEL FILED: December 21, 1949, Northern District of California.

ALLEGED SHIPMENT: On or about June 10 and July 31, 1947, by the Standard Fruit Product Co., from Cincinnati, Ohio.

PRODUCT: 18 cases, each containing 6 104-ounce cans, of sugared coconut and pineapple at San Francisco, Calif.

LABEL, IN PART: "Sugarnut Quality Ice Cream Fruits and Flavors Cocoanut Pineapple Contents When Packed 104 Ounces Liquid Measure."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than 104 ounces liquid measure.)

DISPOSITION: February 13, 1950. Default decree of condemnation and destruction.

16399. Misbranding of potato salad. U. S. v. 67 Cases * * *. (F. D. C. No. 29075. Sample No. 79316–K.)

LIBEL FILED: April 20, 1950, District of Massachusetts.

ALLEGED SHIPMENT: On or about March 3 and 15, 1950, by Otto Seidner, Inc., from Westerly, R. I.

PRODUCT: 67 cases, each containing 12 jars, of potato salad at Boston, Mass.

LABEL, IN PART: "Shurfine Contents 1 Pint Potato Salad."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "1 Pint" was false and misleading since the product contained less than 1 pint; and, Section 403 (e) (2), the product was in package form, and it failed to bear a label containing an accurate statement of the quantity of the contents in terms of weight.

DISPOSITION: May 8, 1950. Otto Seidner, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Food and Drug Administration.

16400. Adulteration of Creme de Menthe Liquid Color No. 4923 (coal-tar color). U. S. v. 4 Carboys * * *. (F. D. C. No. 29027. Sample No. 73775–K.)

LIBEL FILED: March 30, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about February 8, 1950, by W. J. Bush & Co., Inc., from Linden, N. J.

PRODUCT: 4 5-gallon carboys of coal-tar color at Hudson, N. Y.

LABEL, IN PART: "5 Gal. Creme de Menthe Liquid Color No. 4923 Made from Certified Color Lot No. D7563 D9329 For Manufacturing Only."

NATURE OF CHARGE: Adulteration, Section 402 (c), the product contained a coal-tar color other than one from a batch that had been certified in accordance