

distributor, and an accurate statement of the quantity of the contents; Section 403 (i) (1), it failed to bear a label containing the common or usual name of the article; and, Section 403 (i) (2), it was fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each such ingredient.

DISPOSITION: July 27, 1950. Default decree of condemnation and destruction.

OILS AND FATS

16544. Adulteration and misbranding of oil. U. S. v. 5 Cases * * *. (F. D. C. No. 28718. Sample No. 57230-K.)

LIBEL FILED: February 23, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about August 29, 1949, by John Minervini, from Hoboken, N. J.

PRODUCT: 5 cases, each containing 6 1-gallon cans, of oil at New York, N. Y.

LABEL, IN PART: (Can) "Contents One Gallon Net Fabiola Brand 90% Peanut Oil 10% Pure Imported Olive Oil Packed by Fabiola Food Products Hoboken, N. J."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an oil the nature of soya oil had been substituted for peanut oil.

Misbranding, Section 403 (a), the label statement "90% Peanut Oil" was false and misleading; and, Section 403 (k), the article contained artificial flavoring and failed to bear labeling stating that fact.

DISPOSITION: June 9, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution for consumption, and not for sale.

16545. Adulteration and misbranding of oil. U. S. v. 4 Cases * * *. (F. D. C. No. 29346. Sample No. 73977-K.)

LIBEL FILED: On June 5, 1950, District of Connecticut.

ALLEGED SHIPMENT: On or about April 14, 1950, by Santuzza Oil Co., Inc., from Brooklyn, N. Y.

PRODUCT: 4 cases, each containing 6 1-gallon cans, of oil at Bridgeport, Conn.

LABEL, IN PART: (Can) "Santuzza Brand A Blend of 80% Corn and Peanut Oil 20% Pure Olive Oil."

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

Misbranding, Section 403 (a), the label designation "20% Pure Olive Oil" was false and misleading as applied to an article which contained little, if any, olive oil; and, Section 403 (k), the article contained artificial coloring and failed to bear labeling stating that fact.

DISPOSITION: July 18, 1950. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

SPICES, FLAVORS, AND SEASONING MATERIALS*

16546. Adulteration of paprika. U. S. v. 150 Bundles * * * (and 1 other seizure action). (F. D. C. Nos. 28942, 28958. Sample Nos. 34419-K, 34784-K.)

*See also No. 16535.

LIBELS FILED: April 4 and 12, 1950, Northern District of California.

ALLEGED SHIPMENT: On or about October 10 and December 31, 1949, by Cia Industrial Vera, from Valparaiso, Chile.

PRODUCT: 157 bundles, each containing 2 55-pound bags, of paprika at San Francisco, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (c), the article contained D&C Red No. 18, a coal-tar color that has not been listed for use in foods in accordance with regulations, and was other than one from a batch that has been certified.

DISPOSITION: August 21, 1950. Default decrees of condemnation and destruction.

16547. Adulteration and misbranding of ground chili peppers. U. S. v. 82 Barrels, etc. (F. D. C. No. 29326. Sample No. 73833-K.)

LIBEL FILED: May 19, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about February 20, 1950, by Gonzales & Blanco, Los Angeles, Calif.

PRODUCT: 132 250-pound barrels of ground chili peppers at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (b) (3), artificial color had been added to the article to conceal inferiority or damage; and, Section 402 (b) (4), artificial coloring had been added to the article and mixed and packed with it so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (k), the product contained artificial coloring and failed to bear labeling stating that fact.

DISPOSITION: August 7, 1950. The shipper having appeared as claimant and 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 converted into stock feed, under the supervision of the Food and Drug Administration.

16548. Adulteration of canned barbecue sauce. U. S. v. 20 Cases * * *. (F. D. C. No. 29295. Sample No. 77511-K.)

LIBEL FILED: July 5, 1950, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about April 5, 1950, from Ladoga, Ind.

PRODUCT: 20 cases, each containing 48 cans, of barbecue sauce at Mound City, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance since it was undergoing chemical decomposition. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: August 30, 1950. Default decree of condemnation and destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

16549. Adulteration and misbranding of Neo-Mineral. U. S. v. 16 Bottles * * *. (F. D. C. No. 29197. Sample No. 71313-K.)

LIBEL FILED: April 27, 1950, Southern District of California.

ALLEGED SHIPMENT: On or about November 11, 14, and 16, 1949, by the Trojanol Products Co., from Detroit, Mich.

PRODUCT: 16 bottles of Neo-Mineral at Riverside, Calif.