

**DISPOSITION:** November 15, 1950. A plea of guilty having been entered, the court imposed a fine of \$200, plus costs.

**16948. Adulteration of poppy seed. U. S. v. 12 Bags \* \* \*. (F. D. C. No. 29913. Sample Nos. 77090-K, 77091-K.)**

**LIBEL FILED:** October 4, 1950, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about July 18, 1950, from Baltimore, Md.

**PRODUCT:** 12 100-pound bags of poppy seed at St. Louis, Mo.

**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. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** November 3, 1950. The St. Louis Bakers Cooperative Assn., St. Louis, Mo., having appeared as claimant, the court ordered the product released under bond, to be reconditioned under the supervision of the Food and Drug Administration. Of the 14 100-pound bags which had been seized, reconditioning operations resulted in the segregation and salvage of 1,162 pounds of the product as fit for human use; 146 pounds were to be used for bird feed; and the remaining 92 pounds were destroyed.

**16949. Adulteration and misbranding of oil of lemon. U. S. v. 8 Tins \* \* \*. (F. D. C. No. 30135. Sample No. 55996-K.)**

**LIBEL FILED:** November 15, 1950, District of Kansas.

**ALLEGED SHIPMENT:** On or about September 14, 1950, by Berje Chemical Products, Inc., from New York, N. Y.

**PRODUCT:** 8 25-pound tins of oil of lemon at Kansas City, Kans. Analysis showed that the product was not "Oil of Lemon U. S. P."

**LABEL, IN PART:** "Oil of Lemon, Calif. U. S. P., C. P."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a substance which was not genuine oil of lemon had been substituted in whole or in part for "Oil of Lemon U. S. P."

Misbranding, Section 403 (a), the label designation "Oil of Lemon, Calif. U. S. P., C. P." was false and misleading as applied to an article that was not genuine oil of lemon.

**DISPOSITION:** January 17, 1951. Default decree of condemnation and destruction.

**16950. Adulteration and misbranding of soybean condiment and misbranding of soy sauce. U. S. v. 15 Cases \* \* \* (and 1 other seizure action). (F. D. C. No. 29709. Sample Nos. 35059-K, 35060-K.)**

**LIBELS FILED:** September 6, 1950, District of Hawaii.

**ALLEGED SHIPMENT:** On or about August 2, 1950, by the Wing Nien Soy Sauce Mfg. Co., from San Francisco, Calif.

**PRODUCT:** 15 cases, each containing 24 jars, of soybean condiment, and 5 cases, each containing 12 bottles, of soy sauce at Honolulu, T. H.

**LABEL, IN PART:** (Jar) "Net Wt.  $\frac{1}{2}$  Lb. Longevity Brand Soy Bean Condiment Soy Bean, Wheat, Salt, Water and less than  $\frac{1}{10}$  of 1% Benzoate of Soda"; (bottle) "Wing Brand Oriental Style Soy Sauce. Ingredients: Soya Beans, Wheat, Salt and Sugar Net Contents 1 Pint 8 Oz."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the soybean condiment consisted in whole or in part of a filthy substance by reason of the presence of insects and insect parts.

Misbranding, Section 403 (a), the statement "Wheat" on the label of the soybean condiment was false and misleading as applied to an article which did not contain wheat; Section 403 (e) (2), the soy sauce failed to bear a label containing an accurate statement of the quantity of the contents (the article was short of the declared volume); Section 403 (i) (2), the label of the soybean condiment failed to bear the common or usual name of each ingredient contained therein since the presence of sesame seed was not declared; and, Section 403 (k), the soy sauce contained a chemical preservative, sodium benzoate, and it failed to bear labeling stating that fact.

**DISPOSITION:** September 21, 1950. The shipper of the products having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the products be destroyed.

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# FEDERAL SECURITY AGENCY

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act].

16951-17000

### FOODS

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Federal Security Agency, and include, where indicated, the results of investigations of the Agency, prior to the institution of the proceedings. Published by direction of the Federal Security Administrator.

PAUL B. DUNBAR, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., May 11, 1951.

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