LABEL, IN PART: "Caldwell's Mayonnaise Contains Mineral Oil, Starch, Eggs, Vinegar, Salt and Other Spices Made By Caldwell's Cafeteria Columbia, S. C."

NATURE OF CHARGE: Adulteration, Section 402 (a) (1), the product contained approximately 51 percent of added mineral oil, a deleterious substance, which may have rendered the product injurious to health; and, Section 402 (b) (1), a valuable constituent, edible vegetable oil, had been in whole or in part omitted.

Further adulteration, Section 402 (b) (2), an article containing mineral oil had been substituted wholly for mayonnaise, which contains edible vegetable oil and does not contain mineral oil; and, Section 402 (b) (4), mineral oil had been added to the product and mixed and packed with it so as to reduce its quality and strength.

DISPOSITION: May 22, 1947. Default decree of condemnation and destruction.

17895. Adulteration of mustard flour. U. S. v. 1 Unlabeled Barrel * * *. (F. D. C. No. 31443. Sample No. 12185–L.)

LIBEL FILED: July 24, 1951, Southern District of Indiana.

ALLEGED SHIPMENT: On or about March 3, 1949, or August 9, 1950, from St. Louis, Mo.

PRODUCT: 1 unlabeled barrel, containing approximately 180 pounds, of mustard flour at Terre Haute, Ind.

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: October 1, 1951. Default decree of condemnation and destruction.

17896. Misbranding of black pepper. U. S. v. 27 Cartons * * *. (F. D. C. No. 31347. Sample No. 23723–L.)

LIBEL FILED: July 12, 1951, District of Connecticut.

ALLEGED SHIPMENT: On or about May 14, 1951, by the Jay-Arr Food Products, from Jersey City, N. J.

PRODUCT: 27 cartons, each containing 24 jars, of black pepper at Hartford, Conn.

LABEL, IN PART: (Jar) "JR Brand Pure Pepper Net Weight 1 Oz."

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 jars contained less than the labeled 1 ounce.)

DISPOSITION: October 24, 1951. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

17897. Adulteration of salt. U. S. v. 215 Bags, etc. (F. D. C. No. 31416. Sample No. 3479–L.)

LIBEL FILED: July 31, 1951, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about December 27, 1950, and March 1 and May 22, 1951, from Rittman, Ohio.

PRODUCT: 215 25-pound bags and 13 100-pound bags of salt at Newport News, Va., in the possession of A. B. Abbitt & Co., Inc.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta, rodent urine, and rodent hairs; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 2, 1951. A. B. Abbitt & Co., Inc., having appeared as claimant, but later having withdrawn its claim and consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

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

17898. Alleged misbranding of Aminex amino acid tablets. U. S. v. 51 Packages * * *. (F. D. C. No. 19401. Sample No. 14051–H.)

LIBEL FILED: March 13, 1946, Southern District of Ohio; amended libel filed on or about October 22, 1947.

ALLEGED SHIPMENT: Between the approximate dates of January 6 and February 1, 1946, by Nutritional Enterprises, from Chicago, Ill.

PRODUCT: 51 packages of Aminex amino acid tablets at Cincinnati, Ohio.

NATURE OF CHARGE: Misbranding, Section 403 (a), the designation "Aminex Amino Acid Tablets" and the names of individual amino acids appearing upon the labeling of the article were misleading since the designation and names represented and suggested that the article when taken in accordance with the directions upon its labeling, namely, "Directions: For Use as a dietary supplement, one to three tablets a day," would supply nutritionally significant amounts of amino acids, whereas the article would not supply nutritionally significant amounts of amino acids when taken as directed; and the labeling statement "Inasmuch as the daily minimum requirements of the Amino Acids are not established" was misleading since there is adequate evidence to establish that the requirement for amino acids to maintain normal nutrition of man is far in excess of the quantities that would be provided by the product when taken as directed.

The libel alleged also that certain other articles were misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 3649.

DISPOSITION: Lelord Kordel appeared as claimant and filed exception, seeking dismissal of the libel. Thereafter, on February 18, 1952, following preliminary proceedings involving the other products, and upon stipulation by the parties that the case presented no question for adjudication for the reason that all of the products under seizure had deteriorated and become unmarketable, and with the consent of the parties and without any finding on any issue of fact or law, the court ordered that the products be destroyed.

17899. Adulteration of Dwarfies wheat germ. U. S. v. 5 Cases * * *. (F. D. C. No. 31424. Sample No. 16184–L.)

LIBEL FILED: On or about July 6, 1951, District of Kansas.

ALLEGED SHIPMENT: On or about May 10, 1951, by Dwarfies Corp., from Council Bluffs, Iowa.

*See also No. 17852.