

ALLEGED SHIPMENT: On or about May 2, 1951, from Dallas, Tex.

PRODUCT: 341 120-pound bags of shelled peanuts at Seattle, Wash.

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

DISPOSITION: September 19, 1951. Old Yankee Foods, Seattle, Wash., 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 for segregation of the unfit portion, under the supervision of the Federal Security Agency. The product was reconditioned by passing the peanuts through a roasting, blanching, and suction process, with the result that the insect filth was successfully removed.

18149. Adulteration of sunflower seeds. U. S. v. 210 Bags \* \* \*. (F. D. C. No. 31527. Sample No. 19516-L.)

LABEL FILED: September 12, 1951, District of Minnesota.

ALLEGED SHIPMENT: On or about January 26, 1951, from Jersey City, N. J.

PRODUCT: 210 100-pound bags of sunflower seeds at St. Paul, Minn.

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

DISPOSITION: September 19, 1951. The Fisher Nut & Chocolate Co., St. Paul, Minn., 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 for reconditioning and reprocessing under the supervision of the Federal Security Agency. A total of 1,920 pounds of the product were segregated as unfit and were destroyed.

## OLEOMARGARINE

18150. Misbranding of colored oleomargarine. U. S. v. 3 cases, etc. (F. D. C. No. 32558. Sample Nos. 16990-L, 16991-L.)

LABEL FILED: March 5, 1952, Southern District of California.

ALLEGED SHIPMENT: On or about January 30, 1952, by the Nuspred Foods Co., from Portland, Oreg.

PRODUCT: 8 cases, each containing 30 13-ounce packages, of colored oleomargarine at Los Angeles, Calif.

LABEL, IN PART: (Package) "Nuspred Pure 100 Percent Soya Bean Product \* \* \* Colored Margarine Contents: Especially prepared Solidified Soya Bean Oil 96%, Salt 2%, Moisture 2%, Butter Flavoring, and Vitamin A Carotene Oil Coloring [or "Colored Margarine Without Salt Contents: Especially prepared Solidified Soya Bean Oil 98%, Moisture 2%, Butter Flavoring, and Vitamin A Carotene Oil Coloring"]."

**NATURE OF CHARGE:** Misbranding, Section 403 (g), the product failed to conform to the definition and standard of identity for oleomargarine since it did not contain the milk product required by such standard; since it was represented as oleomargarine with vitamin A added and contained less than 9,000 units of vitamin A per pound as required by such standard; and since its label failed to bear a statement declaring the presence of artificial flavoring and artificial color as required by the standard.

Further misbranding, Section 403 (j), the product was represented as a food for special dietary uses by reason of its vitamin A content, and its label failed to bear such information concerning its vitamin properties as necessary to fully inform purchasers as to its value for such uses since its label failed to bear as prescribed by the regulations a statement of the proportions of the minimum daily requirement of vitamin A furnished by a specific quantity of the article when consumed during a period of one day; and, Section 403 (a), the label statement "Pure 100 Percent Soya Bean Product" was false and misleading since the product contained also non-soyabean ingredients.

**DISPOSITION:** April 9, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

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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]

18151-18200

#### 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. Published by direction of the Federal Security Administrator.

CHARLES W. CRAWFORD, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *July 16, 1952.*

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