

19195. Adulteration of imitation black pepper and imitation white pepper. U. S. v. 1. One Drum, etc. (F. D. C. No. 32495. Sample Nos. 29351-L to 29353-L, incl., 29355-L, 29357-L, 29358-L.)

LIBEL FILED: February 20, 1952, Western District of Washington.

ALLEGED SHIPMENT: On or about October 16 and December 11, 1951, by R. C. Pauli & Sons, from San Francisco, Calif.

PRODUCT: 1 280-pound drum and 34 1-pound sacks of imitation black pepper, and 1 240-pound drum, 21 1-pound sacks, and 1 ½-pound sack of imitation white pepper, at Seattle, Wash.

LABEL, IN PART: "Tropic Brand."

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

DISPOSITION: May 7, 1952. Default decree of condemnation and destruction.

19196. Adulteration of chili peppers. U. S. v. 64 Bags * * *. (F. D. C. No. 32148. Sample No. 37539-L.)

LIBEL FILED: On or about November 15, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about January 19, 1951, from London, England.

PRODUCT: 64 70-pound bags of chili peppers at New York, N. Y.

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: April 17, 1952. Kellys America, Ltd., New York, N. Y., having appeared as claimant, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law by fumigating, sifting, and blowing. 3,778 pounds of the chili peppers were salvaged and 594 pounds were rejected.

19197. Adulteration of lemon oil. U. S. v. 8 1-gallon Bottles * * *. (F. D. C. No. 32593. Sample No. 12259-L.)

LIBEL FILED: January 16, 1952, Northern District of Ohio.

ALLEGED SHIPMENT: On or about April 11, 1951, by Schimmel & Co., Inc., from New York, N. Y.

PRODUCT: 8 1-gallon bottles of lemon oil at Bay Village, Ohio. The product was shipped in 25-pound containers and was repackaged into 1-gallon bottles by the consignee.

LABEL, IN PART: (25-pound container) "Oil Lemon California Cold Pressed USP."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an oil other than oil expressed from the peel of lemons had been substituted in whole or in part for lemon oil U. S. P.

DISPOSITION: On or about March 13, 1952, the Zipp Manufacturing Co., Bay Village, Ohio, the consignee, and Schimmel & Co., Inc., the shipper, appeared as claimants and filed answers denying that the product was adulterated. The United States attorney filed interrogatories directed to both claimants, which were answered by the Zipp Manufacturing Co., but were objected to by Schim-

mel & Co., Inc. The objections of the latter firm were overruled. On November 10, 1952, both claimants having withdrawn their claims and answers, default was noted and the court entered judgment of condemnation and destruction.

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

19198. Adulteration and misbranding of vitamin capsules. U. S. v. 50 Bottles
* * *. (F. D. C. No. 32535. Sample No. 38581-L.)

LIBEL FILED: On or about February 25, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about November 5, 1951, by Strong, Cobb & Co., Inc., from Cleveland, Ohio.

PRODUCT: Vitamin capsules. 50 bottles, each containing 100 capsules, at New York, N. Y. Examination showed that the article contained approximately 50 percent of the declared amount of vitamin D and approximately 45 percent of the declared amount of vitamin E (mixed tocopherol).

LABEL, IN PART: "Each Capsule Contains: * * * Vitamin D 500 U. S. P. units * * * Mixed Tocopherol (E) 10 mg."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, vitamins D and E, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement "Each Capsule Contains: * * * Vitamin D 500 U. S. P. units * * * Mixed Tocopherol (E) 10 mg." was false and misleading as applied to the product, which contained less than the declared amounts of vitamins D and E.

DISPOSITION: October 3, 1952. Default decree of condemnation and destruction.

19199. Adulteration and misbranding of Folarmour Capsulettes. U. S. v. 18 Boxes * * *. (F. D. C. No. 33034. Sample No. 37595-L.)

LIBEL FILED: April 16, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about December 11, 1951, by the Armour Laboratories, from Chicago, Ill.

PRODUCT: 18 boxes, each containing 12 bottles, of Folarmour Capsulettes at New York, N. Y.

LABEL, IN PART: "100 Capsulettes * * * Folarmour A High Potency Multivitamin Preparation * * * Each Capsulette Contains: * * * Vitamin D 500 USP Units."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted or abstracted from the product.

Misbranding, Section 403 (a), the label statement "Each Capsulette Contains: * * * Vitamin D 500 USP Units" was false and misleading since the product contained less than 500 U. S. P. units of vitamin D per "capsulette."

DISPOSITION: October 3, 1952. Default decree of condemnation and destruction.

19200. Adulteration and misbranding of Ethonatal Caplets. U. S. v. 24 Bottles, etc. (F. D. C. No. 33560. Sample Nos. 2414-L to 2416-L, incl.)

*See also No. 19154.