

DISPOSITION: January 8, 1953. The defendant having entered a plea of guilty, the court fined her \$200 and costs.

MISCELLANEOUS FOODS

19699. Adulteration and misbranding of coal-tar colors and lemon filling. U. S. v. Natural Products Co., a corporation, and Michael D. Kaknes. Plea of guilty for corporation; fine, \$100. Plea of nolo contendere by Michael D. Kaknes; fine, \$10. (F. D. C. No. 31551. Sample Nos. 4912-L, 4916-L, 5008-L, 5009-L, 5233-L, 5239-L, 5246-L, 5247-L.)

INFORMATION FILED: December 13, 1951, District of Massachusetts, against the Natural Products Co., a corporation, Boston, Mass., and Michael D. Kaknes, treasurer.

ALLEGED SHIPMENT: Between the approximate dates of September 14 and December 22, 1950, from the State of Massachusetts into the States of New Hampshire and Maine.

LABEL, IN PART: "Natural Brand Butter Color [or "Egg Yolk Color Powder," "Red Paste Color," "Blue Liquid Color," or "Rose Pink Liquid Color"]" and "Green Paste Color," "Orange Shade Liquid Color," and "Natural Brand Powdered Lemon Filling."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the powdered lemon filling consisted in part of a filthy substance by reason of the presence of insects and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth. Further adulteration, Section 402 (c), the remaining products contained coal-tar colors other than coal-tar colors from batches that had been certified in accordance with the regulations.

Misbranding, Section 403 (a), the statement "Certified by Food and Drug Administration" borne on the labels of the green, orange shade, red, blue, and rose pink colors was false and misleading since the colors had not been certified by the Food and Drug Administration; and, Section 403 (i) (2), the butter color, the egg yolk color, and the orange shade, red, blue, and rose pink colors, and the powdered lemon filling were fabricated from two or more ingredients, and the labels failed to bear the common or usual name of each such ingredient. Further misbranding, Section 403 (k), the powdered lemon filling contained artificial coloring, and the labeling failed to state that fact; and the blue and rose pink colors contained chemical preservatives and failed to bear labeling stating that fact.

DISPOSITION: October 7, 1952. A plea of guilty having been entered on behalf of the corporation and a plea of nolo contendere having been entered by Michael D. Kaknes, the court imposed a fine of \$100 against the former and a fine of \$10 against the latter.

19700. Misbranding of potato preservative. U. S. v. 9½ Cases * * *. (F. D. C. No. 34547. Sample No. 18654-L.)

LABEL FILED: January 15, 1953, Southern District of California.

ALLEGED SHIPMENT: On or about December 22, 1952, by Wason Bros. Co., Inc., from Seattle, Wash.

PRODUCT: 9½ cases, each full case containing 12 1-quart bottles, of a potato preservative at Los Angeles, Calif. Examination showed that the product contained sodium bisulfite and water.