

**21197. Misbranding of black pepper. U. S. v. 59 Cases \* \* \*. (F. D. C. No. 35374. Sample No. 73553-L.)**

**LIBEL FILED:** August 10, 1953, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about July 8, 1953, by the Cumberland Mfg. Co., from Nashville, Tenn.

**PRODUCT:** 59 cases, each containing 12 cans, of black pepper at Philadelphia, Pa.

**LABEL, IN PART:** (Can) "Windsor Brand One Ounce Net Weight Pure Ground Black Pepper."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (Examination showed that the article was short weight.)

**DISPOSITION:** March 1, 1954. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

**21198. Adulteration of salt. U. S. v. 31 Sacks \* \* \*. (F. D. C. No. 36382. Sample No. 75453-L.)**

**LIBEL FILED:** February 8, 1954, Eastern District of North Carolina.

**ALLEGED SHIPMENT:** On or about September 4, 1953, from Baltimore, Md.

**PRODUCT:** 31 100-pound sacks of salt at Ahoskie, N. C., in possession of the Ahoskie Wholesale Co.

**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 urine; and, Section 402 (a) (4), the article 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:** March 25, 1954. Default decree of condemnation. The court ordered that the product be delivered to a State institution, for animal consumption.

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

**21199. Adulteration and misbranding of vitamin capsules. U. S. v. 67 Bottles, etc. (and 1 other seizure action). (F. D. C. Nos. 35408, 35654. Sample Nos. 39347-L, 39348-L, 39353-L, 39354-L.)**

**LIBELS FILED:** August 27 and October 19, 1953, Eastern District of Virginia.

**ALLEGED SHIPMENT:** On or about November 10 and December 26, 1950, April 23, 1951, November 20, 1952, and May 29, 1953, from Philadelphia, Pa.

**PRODUCT:** 91 500-capsule bottles, 1 300-capsule bottle, 534 100-capsule bottles, 1 drum containing 9,700 capsules, and 1 drum containing 24,700 capsules, of vitamin capsules at Norfolk, Va.

**LABEL, IN PART:** (Bottles and drums) "D-Cal-Bron \* \* \* Each Capsule Contains \* \* \* Vitamin D..... 333 units" and "D-Cal-Bron With Vitamin O Each Capsule Contains: \* \* \* Vitamin D..... 333 units."

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

Misbranding, Section 403 (a), the label statement "Each Capsule Contains \* \* \* Vitamin D.... 333 units" was false and misleading as applied to the articles, which contained less than 333 units of vitamin D per capsule.

The articles were adulterated and misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** March 16, 1954. The Coastal Pharmaceutical Co., Inc., Norfolk, Va., claimant, having consented to the entry of a decree and the libel actions having been consolidated, judgment of condemnation was entered and the court ordered that the products be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

**21200. Adulteration and misbranding of Nutrifactor tablets. U. S. v. 264 Bottles, etc. (F. D. C. No. 36218. Sample No. 52574-L.)**

**LIBEL FILED:** January 4, 1954, District of New Jersey.

**ALLEGED SHIPMENT:** On or about October 30, 1953, by Nysco Laboratories, Inc., from Long Island City, N. Y.

**PRODUCT:** 264 90-tablet bottles and 108 100-tablet bottles of Nutrifactor tablets at Jersey City, N. J.

**RESULTS OF INVESTIGATION:** The article was shipped in interstate commerce in a bulk container, and, upon receipt by the consignee, was repacked into the bottles. Analysis showed that the product contained 65 percent of the declared amount of vitamin C.

**LABEL, IN PART:** (Bulk container) "Nysco Laboratories, Inc. Special Formula C.F. 2243 Lot 4371 \* \* \* Nutrifactor Tablets Each tablet contains: \* \* \* C 10 mg. \* \* \* For repackaging and relabeling Only."

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

Misbranding, Section 403 (a), the label statement "Each tablet contains: \* \* \* C 10 mg." was false and misleading as applied to the article, which contained less than the declared amount of vitamin C.

**DISPOSITION:** February 11, 1954. Default decree of condemnation and destruction.

## INDEX TO NOTICES OF JUDGMENT F. N. J. NOS. 21151 TO 21200

### PRODUCTS

|                             | N. J. No.    |                                   | N. J. No.    |
|-----------------------------|--------------|-----------------------------------|--------------|
| Beans, lima, frozen         | 21177        | Cheese, muenster                  | 21165        |
| Brazil nuts                 | 21184        | Cornmeal                          | 21153, 21154 |
| Breading mix                | 21161        | Dairy products                    | 21163-21165  |
| Butter                      | 21163, 21164 | Dog food                          | 21169        |
| Cake mix                    | 21162        | Eggs, frozen                      | 21166, 21167 |
| Candy                       | 21151, 21152 | Feeds and grains                  | 21168, 21169 |
| Cashew nuts                 | 21185        | Fish and shellfish                | 21170-21173  |
| granulated                  | 21186        | Flavors. See Spices, flavors, and |              |
| Cereals and cereal products | 21153-21162  | seasoning materials.              |              |
|                             |              | Flour                             | 21154-21156  |