

12194. Adulteration of peanut butter. U. S. v. 40 Cases, etc. (F. D. C. No. 23053. Sample Nos. 35821-H, 35822-H.)

LIBEL FILED: May 16, 1947, Western District of Arkansas.

ALLEGED SHIPMENT: On or about March 6, 1947, by Empire Foods, Oklahoma City, Okla.

PRODUCT: 40 cases, each containing 12 2-pound jars, and 22 cases, each containing 24 1-pound jars, of peanut butter at Springdale, Ark.

LABEL, IN PART: "Rich Nut Brand Peanut Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 25, 1947. Default decree of condemnation and destruction.

OILS AND FATS

12195. Adulteration and misbranding of oil. U. S. v. 15 Cans * * *. (F. D. C. No. 22506. Sample No. 50165-H.)

LIBEL FILED: February 7, 1947, Southern District of Texas.

ALLEGED SHIPMENT: On or about November 1, 1946, by Paramount Food, from New York, N. Y.

PRODUCT: 15 unlabeled cans, each containing 5 gallons, of oil at Houston, Tex. The product was purchased as olive oil and was repackaged and sold as olive oil. Analysis showed that it consisted essentially of cottonseed oil, with a small amount of olive oil.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an article consisting essentially of cottonseed oil, with a small amount of olive oil, had been substituted for olive oil, which the article was represented to be.

Misbranding, Section 403 (b), the article was offered for sale under the name of another food, olive oil; Section 403 (e) (1), it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 403 (i) (2), it was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient.

DISPOSITION: September 8, 1947. The La Vita Italian Oil Corporation, Houston, Tex., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling, under the supervision of the Food and Drug Administration.

12196. Adulteration of olive oil. U. S. v. 14 Cartons * * *. (F. D. C. No. 22637. Sample No. 64728-H.)

LIBEL FILED: March 14, 1947, Northern District of New York.

ALLEGED SHIPMENT: On or about October 15 and November 1, 1946, by Frank Saputo, from Fairview, N. J.

PRODUCT: 14 cartons, each containing 6 1-gallon cans, of olive oil at Syracuse, N. Y.

LABEL, IN PART: "Extra Fine Olive Oil Colomba Brand."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), artificially colored mineral oil had been substituted for olive oil, which the article was represented to be.

DISPOSITION: April 28, 1947. Default decree of condemnation and destruction.

12197. Misbranding of edible oil. U. S. v. 97 Cases * * *. (F. D. C. No. 22469. Sample No. 54692-H.)

LIBEL FILED: February 5, 1947, Northern District of Ohio.

ALLEGED SHIPMENT: On or about December 16, 1946, by Dominic La Reccia, from Tampa, Fla.

PRODUCT: 97 cases, each containing 6 1-gallon cans, of edible oil at Cleveland, Ohio, in possession of the Mayfield Importing Co. This was a return shipment.

LABEL, IN PART: "1 Gal."

NATURE OF CHARGE: Misbranding, Section 403 (e) (1), the article failed to bear a label containing the name and place of business of the manufacturer, packer,