

certified color * * * Directions * * * Add ½ cup sugar * * * Add 1 egg," and "7-Minit Complete Chocolate Pie Crust and Filling Ingredients: Flour, shortening, corn starch, cocoa, salt, baking powder and artificial flavoring * * * Directions * * * Add sugar to taste (½ cup) * * * Stir in slowly ½ cup cold milk. * * * Then add 2 more cups cold milk."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents of lemon pie filling, eggs, sugar, and lemon juice, and valuable constituents of chocolate pie filling, sugar and milk, had been in whole or in part omitted.

Misbranding, Section 403 (a), the label designations "Complete Lemon Pie Crust and Filling" and "Complete Chocolate Pie Crust and Filling" were false and misleading as applied to products which would not make complete pie fillings, since they required the addition of ingredients by the purchaser.

DISPOSITION: January 28, 1948. No claimant having appeared, judgment of condemnation was entered and the products were ordered delivered to a charitable institution.

12789. Adulteration and misbranding of lemon pie filling. U. S. v. 397 Boxes
* * *. (F. D. C. No. 23776. Sample No. 6203-K.)

LIBEL FILED: September 25, 1947, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 12, 1947, by the Atlantis Sales Corporation, from Rochester, N. Y.

PRODUCT: 397 boxes, each containing 48 cartons, of pie filling at Pittsburgh, Pa. Examination showed that the product was a combination of a powder consisting essentially of a mixture of starch and sugar artificially colored with a yellow coal-tar dye, a tablet of citric acid, and a capsule containing lemon oil.

LABEL, IN PART: (Cartons) "Good Luck Lemon Flavor Pie Filling Use With Egg, Net Wt. 4½ Oz. Manufactured by Good Luck Food Co., Inc., Rochester, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), the article was represented as a lemon-flavor pie filling, and valuable ingredients, eggs, sugar, and lemon juice, necessary to make a lemon-flavor pie filling had been in whole or in part omitted.

Misbranding, Section 403 (a), the designation "Pie Filling" was false and misleading, since the article was not a pie filling.

DISPOSITION: October 22, 1947. The Atlantis Sales Corporation, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

12790. Adulteration of meat substitutes. U. S. v. 10 Cases of Zoyburger (and 1 other seizure action against various meat substitutes). (F. D. C. Nos. 23807, 23865. Sample Nos. 8744-K to 8749-K, incl., 15303-K.)

LIBELS FILED: On October 20 and 23, 1947, Southern District of New York and Northern District of Illinois.

ALLEGED SHIPMENT: On or about September 2, 8, and 19, 1947, by Madison Foods, from Madison College, Tenn.

PRODUCT: 10 cases, each containing 24 1-pound, 4-ounce cans, of Zoyburger at Chicago, Ill., and 120 cases, each containing 24 1-pound, 4-ounce cans, of various meat substitutes at New York, N. Y.

LABEL, IN PART: "Zoyburger," "Yum A Madison Food," "Stake-Lets," "Vigoroost Made of Gluten, Soy Cheese," "Soy Cheese Soy Bean Curd with Soy Oil," or "Not-Meat A Tasty Meatless Loaf."

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 rodent hair fragments, insects, and insect fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: November 26, 1947, and January 29, 1948. Default decrees of condemnation and destruction.

12791. Adulteration of spaghetti sauce with meat balls. U. S. v. 37 Cases
* * *. (F. D. C. No. 20671. Sample No. 60162-H.)

LIBEL FILED: August 16, 1946, Western District of Pennsylvania.