

PRODUCT: 1 100-pound drum of Nut Meat Krunch at Portsmouth, Va.

LABEL, IN PART: "Brokay Nut Meat Krunch All Purpose Nuts."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of roasted peanut pieces and roasted soybean pieces, with artificial flavor added, had been substituted for roasted nuts.

Misbranding, Section 403 (a), the name "Nut Meat Krunch" and the statement "All Purpose Nuts" were false and misleading since the article consisted of an artificially flavored mixture of peanuts and soybeans; Section 403 (i) (2), the product was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient since the presence of soybeans was not declared; and, Section 403 (k), it contained artificial flavoring and failed to bear a label stating that fact.

DISPOSITION: December 14, 1948. Default decree of condemnation and destruction.

14281. Adulteration and misbranding of Nut Meat Krunch. U. S. v. 1 Drum
* * *. (F. D. C. No. 26214. Sample No. 23641-K.)

LABEL FILED: December 9, 1948, Middle District of Alabama.

ALLEGED SHIPMENT: On or about September 20, 1948, by Brokay Products, from Philadelphia, Pa.

PRODUCT: 1 35-pound drum of Nut Meat Krunch at Dothan, Ala.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of roasted peanut pieces and roasted soybean pieces, with artificial flavor, had been substituted in whole or in part for roasted nuts.

Misbranding, Section 403 (a), the name "Nut Meat Krunch" and the statement "All Purpose Nuts" were false and misleading as applied to an article consisting of an artificially flavored mixture of peanuts and soybeans; Section 403 (i) (2), the product was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient since the presence of soybeans was not declared; and, Section 403 (k), it contained artificial flavoring and failed to bear a label stating that fact.

DISPOSITION: January 18, 1949. Default decree of condemnation and destruction.

OILS AND FATS

14282. Adulteration and misbranding of Saladola. U. S. v. Lawrence Milgroom
(Mercantile Food Products Co.), and Frederick Milgroom (Frederick Lawrence Co.). Pleas of nolo contendere. Each defendant fined \$50.
(F. D. C. No. 23208. Sample Nos. 56840-H, 57124-H, 57422-H, 57461-H, 57481-H, 57482-H.)

INFORMATION FILED: April 14, 1948, District of Massachusetts, against Lawrence Milgroom, an individual, trading as the Mercantile Food Products Co., Boston, Mass., and Frederick Milgroom, an individual, trading as the Frederick Lawrence Co., Boston, Mass.

ALLEGED SHIPMENT: On or about July 5, 26, and 29, and August 26, 1946, from the State of Massachusetts into the States of Maine, Vermont, and Rhode Island.

LABEL, IN PART: "One Pint" [or "One Quart"] Saladola Brand Pure Mineral Oil A Non-Fattening Oil (Certified Food Color Added) For the preparation of non-fattening, non-nutritive, and low calorie Dressings for Salads Packer Mercantile Food Products Co. Boston, Mass."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), artificial color had been added to the product so as to make it appear to be salad oil, which is better and of greater value than the product.

Misbranding, Section 403 (a), the designation "Saladola" appearing on the bottle label was false and misleading, in that the designation represented and suggested that the product was salad oil, whereas in fact and in truth the product was not salad oil; Section 403 (a), the product was misbranded, in that the statement "French Dressing" appearing on the bottle label was false and misleading since said statement represented and suggested that french dressing can be made with the article, whereas in fact and in truth french dressing could not be made with the article; Section 403 (a), the statement "For the preparation of non-fattening, non-nutritive and low calorie dressing for salads," together with the directions for use of the article for the preparation of dressings for salad, borne on the bottle label, were misleading in that said statement and directions represented, suggested, and implied that the article was wholesome and suitable for use as a substitute for food oils in the preparation of salads, whereas in fact and in truth the article was colored mineral oil, and its labeling failed to reveal the material fact in the light of said label statement and direction, that the substitution of mineral oil for food oils in the preparation of salads might be harmful and have a deleterious effect.

DISPOSITION: December 14, 1948. Pleas of nolo contendere having been entered, each defendant was fined \$50.

14283. Adulteration and misbranding of salad oil. U. S. v. 22 Cases * * *
(F. D. C. No. 25244. Sample No. 6132-K.)

LIBEL FILED: August 5, 1948, Northern District of Ohio.

ALLEGED SHIPMENT: On or about November 13, 1947, by the Roma Packing Co., from Boston, Mass.

PRODUCT: 22 cases, each containing 6 cans, of salad oil at Youngstown, Ohio.

LABEL, IN PART: "Casa Mia Brand 80% Peanut Oil 20% Imported Olive Oil One Gallon Net."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, olive oil, had been in whole or in part omitted; and, Section 402 (b) (4), artificial flavoring had been added to the article and mixed and packed with it so as to make it appear to be, or to contain substantial amounts of, olive oil, which is better and of greater value than a mixture of peanut and cottonseed oils.

Misbranding, Section 403 (a), the label statement "20% Imported Olive Oil" and a picture of a cluster of olives were false and misleading as applied to the article, which contained little, if any, olive oil.

DISPOSITION: December 22, 1948. Default decree of condemnation and destruction.