

SPICES, FLAVORS, AND SEASONING MATERIALS

16795. Adulteration of marjoram. U. S. v. 9 Unlabeled Barrels, etc. (F. D. C. No. 29739. Sample Nos. 79671-K, 79672-K, 79674-K to 79676-K, incl.)

LIBEL FILED: September 18, 1950, District of Massachusetts.

ALLEGED SHIPMENT: On or about August 16, November 3, and December 2, 1949, from New York, N. Y.

PRODUCT: 9 unlabeled barrels, each containing 75 pounds, of ground French marjoram, and 5 unlabeled barrels, each containing 75 pounds, of ground Chilean marjoram at Revere, Mass.; and one partly filled barrel containing approximately 9 pounds of whole marjoram, one partly filled barrel containing approximately 60 pounds of rubbed marjoram and one partly filled barrel containing approximately 67 pounds of ground marjoram at Boston, Mass.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of insects, insect parts, and rodent hair fragments. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 30, 1950. Default decree of condemnation and destruction.

16796. Adulteration and misbranding of "replacement" pepper. U. S. v. 1 Drum * * *. (F. D. C. No. 29694. Sample No. 40364-K.)

LIBEL FILED: On or about August 21, 1950, District of Maryland.

ALLEGED SHIPMENT: On or about May 4, 1950, by the Austin Food Products Corp., from Brooklyn, N. Y.

PRODUCT: 1 unlabeled drum containing 50 pounds of an article invoiced as "Replacement Pepper" at Baltimore, Md.

Examination showed that the product consisted of a substance having the characteristics of ground nutmeg, with a small amount of black pepper and an oil having the flavor of capsicum or other hot peppers.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, pepper, had been omitted in part from the article; and, Section 402 (b) (4), substances had been added to the article and mixed and packed therewith to increase its bulk or weight.

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

DISPOSITION: September 26, 1950. Default decree of condemnation and destruction.

16797. Adulteration of soy sauce. U. S. v. 482 Cases, etc. (F. D. C. Nos. 29284, 29285. Sample Nos. 88170-K, 88171-K.)

LIBELS FILED: June 26, 1950, District of Colorado.

ALLEGED SHIPMENT: On or about June 14, 1950, by the Showa Shoyu Brewing Co., from Glendale, Ariz.

PRODUCT: Soy sauce. 482 cases, each containing 4 1-gallon jugs, and 98 cases, each containing 12 1-quart bottles, at Denver, Colo.

LABEL, IN PART: "Marusho Soy Sauce."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of its active fermentation.

DISPOSITION: August 1, 1950. Default decree of condemnation and destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

16798. Adulteration of wheat germ. U. S. v. Dwarfies Corp. and James John Oberdin. Pleas of guilty. Corporation fined \$1,000 and individual defendant \$500, plus costs. Individual defendant also sentenced to 6 months in jail; jail sentence suspended and defendant placed on probation for 6 months. (F. D. C. No. 29162. Sample Nos. 55286-K, 68010-K.)

INDICTMENT RETURNED: May 16, 1950, Southern District of Iowa, against the Dwarfies Corp., Council Bluffs, Iowa, and James John Oberdin, secretary-treasurer of the corporation.

ALLEGED SHIPMENT: On or about August 3 and 25, 1949, from the State of Iowa into the States of Missouri and Colorado.

LABEL, IN PART: (Case) "12 - 11 Oz. Glass Jars Dwarfies Toasted Wheat Germ Mfd. [or "Packed"] By Dwarfies Corporation, Council Bluffs, Iowa."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of larvae, insect parts, and rodent excreta fragments.

DISPOSITION: October 28, 1950. Pleas of guilty having been entered, the court fined the corporation \$1,000 and the individual defendant \$500, plus costs. The individual defendant was also sentenced to 6 months in jail on each of the 2 counts of the information, with the sentences to run concurrently; however, the jail sentences were suspended, and the defendant was placed on probation for 6 months.

16799. Adulteration and misbranding of vitamin B complex tablets. U. S. v. White Laboratories, Inc. Plea of guilty. Fine, \$2,000. (F. D. C. No. 29449. Sample Nos. 11890-K, 42383-K.)

INFORMATION FILED: August 17, 1950, District of New Jersey, against White Laboratories, Inc., from Newark, N. J.

ALLEGED SHIPMENT: On or about August 16 and 20, 1949, from the State of New Jersey into the States of New York and Illinois.

LABEL, IN PART: "Natural Vitamin B Complex Tablets" and "B Complex Tablets."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, thiamine, riboflavin, and nicotinic acid, had been in part omitted and abstracted from the tablets.

Misbranding, Section 403 (a), the statement "Each tablet contains not less than: Thiamine 0.5 Milligram Riboflavin 0.5 Milligram * * * Nicotinic Acid 300.0 Micrograms," borne on the label of a portion of the tablets, and the