

19599. Misbranding of Paprakene. U. S. v. 4 Barrels * * *. (F. D. C. No. 33466. Sample No. 22641-L.)

LABEL FILED: July 11, 1952, Southern District of Texas.

ALLEGED SHIPMENT: On or about March 21 and April 22, 1952, by Spicene Co. of America, Inc., from New York, N. Y.

PRODUCT: 4 250-pound barrels of Paprakene at Houston, Tex. Examination disclosed that the product was salt, colored with annatto and FD&C Red No. 4, and that it contained little or no oleoresin capsicum.

LABEL, IN PART: "Paprakene Contains: Oleoresin Capsicum Annatto and Other Essential Oils and Extractions in a Sodium Chloride Carrier * * * Net Weight 250 pounds. This Product is Guaranteed to comply with all Pure Food Laws and B. A. I. Regulations."

NATURE OF CHARGE: Misbranding, Section 403 (a), the oleoresin capsicum listed in the ingredient statement on the label was false and misleading since the product contained little, if any, oleoresin capsicum.

Further misbranding, Section 403 (a), the label statement "This Product is Guaranteed to comply with all Pure Food Laws and B. A. I. Regulations" was false and misleading since the product does not comply with the Federal Food, Drug, and Cosmetic Act, and it is a product which is not permitted to be used in plants operated under the Bureau of Animal Industry Regulations.

Further misbranding, 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 statement "Other Essential Oils and Extractions in a Sodium Chloride Carrier" does not set forth the common or usual name of each such ingredient; and, Section 403 (k), the product contained the artificial color FD&C Red No. 4, and it failed to bear a label stating that fact.

DISPOSITION: October 8, 1952. Default decree of condemnation and destruction.

19600. Adulteration of red pepper hulls. U. S. v. 5 Barrels * * *. (F. D. C. No. 34505. Sample No. 65186-L.)

LABEL FILED: December 20, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about October 24, 1952, by the Harper & Bateman Pickle Co., from Hurlock, Md.

PRODUCT: 5 barrels of red pepper hulls at Winona, Minn.

LABEL, IN PART: "Red C. W. Pepper Hulls in Brine."

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 insects, insect parts, and rodent hair fragments, and of a decomposed substance by reason of the presence of moldy red pepper hulls.

DISPOSITION: March 23, 1953. Default decree of destruction.

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PRODUCTS

	N. J. No.		N. J. No.
Apples, dried	19577	Coconut, flavored	19591
Cashew nuts	19586	Corn, canned	19578
Cereals and cereal products	19551- 19564	Cornmeal	19551
		Crabmeat	19570