

\* \* \* 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 first in the ingredient statement was false and misleading as applied to a product which contained little, if any, oleoresin capsicum; and 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 article did not comply with the Federal Food, Drug, and Cosmetic Act, and was a product which was not permitted to be used in plants operated under B. A. I. regulations.

Further misbranding, 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 since the statement "other essential oils and extractions in a Sodium Chloride Carrier" did not reveal the common or usual name of each ingredient of the article; and, Section 403 (k), the article contained artificial coloring, cochineal, and it failed to bear labeling stating that fact.

**DISPOSITION:** April 22, 1953. Default decree of condemnation and destruction.

**20695. Misbranding of Paprakene. U. S. v. 1 Drum \* \* \*. (F. D. C. No. 34747. Sample No. 56578-L.)**

**LABEL FILED:** March 12, 1953, Middle District of Tennessee.

**ALLEGED SHIPMENT:** On or about December 23, 1952, by Spicene Co. of America, Inc., from West New York, N. J.

**PRODUCT:** One drum of Paprakene at Nashville, Tenn. Examination showed that the article was salt, colored with annatto and cochineal color, and that it contained little or no oleoresin capsicum.

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the oleoresin capsicum listed first in the ingredient statement was false and misleading as applied to a product which contained little, if any, oleoresin capsicum; and 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 article did not comply with the Federal Food, Drug, and Cosmetic Act, and was a product which was not permitted to be used in plants operated under B. A. I. regulations.

Further misbranding, 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 since the statement "other essential oils and extractions in a Sodium Chloride Carrier" did not reveal the common or usual name of each ingredient of the article; and, Section 403 (k), the article contained artificial coloring, cochineal, and it failed to bear labeling stating that fact.

**DISPOSITION:** May 22, 1953. Default decree of condemnation and destruction.

### VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

**20696. Adulteration and misbranding of vitamin preparations. U. S. v. 32 Bottles, etc. (F. D. C. No. 35273. Sample Nos. 39518-L, 39520-L to 39522-L, incl., 39525-L.)**

**LABEL FILED:** June 4, 1953, Southern District of California.