

RESULTS OF INVESTIGATION: The article in the bottles was repacked by the dealer from bulk drums shipped as described above.

LIBELED: 2-26-62, W. Dist. N.Y.

CHARGE: 402(a)(2)(C)—while held for sale, the article contained a food additive, namely, mineral oil, which was unsafe within the meaning of 409 since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 7025.

DISPOSITION: 3-27-62. Consent—claimed by Rochester Drug Cooperative, Inc., and relabeled.

28499. Rice-A-Bongo. (F.D.C. No. 46034. S. No. 50-304 R.)

QUANTITY: 194 cases, 12 8½-oz. boxes each, at Denver, Colo. An aluminum foil package was included in each box.

SHIPPED: 5-12-61, from Wichita, Kans., by American Beauty Macaroni Co.

LABEL IN PART: (Box) "Rice-A-Bongo * * * Vitamin-Enriched Macaroni Rings Rice, Macaroni Rings and Chicken Flavored Soup Base. Ingredients * * * Manufactured by the American Beauty Macaroni Co.;" (pkg.) "Chicken Flavored Soup Base Net Wt. 1 Oz. Ingredients: * * * Chicken Fat * * * American Beauty Macaroni Co. Kansas City, Kansas."

ACCOMPANYING LABELING: Leaflet entitled "American Beauty Rice-A-Bongo * * * Recipes * * *" by the American Beauty Macaroni Company, Kansas City."

LIBELED: 6-28-61, Dist. Colo.

CHARGE: 403(a)—when shipped, the label contained a vignette and statement "Serving Illustration" which were false and misleading, since the serving depicted was not that of the article Rice-A-Bongo; 403(a)—the label statement "Chicken Flavored Soup Base" was misleading as applied to a product which contained chicken fat as the only chicken ingredient; 403(d)—the container was so made, formed, and filled as to be misleading, since the article occupied only about 63 percent of the volume of its container; and 403(j)—the article purported to be and was represented as a food for special dietary use by reason of its vitamin and mineral content and its label failed to bear, as required by regulations, a statement of the proportion of minimum daily requirements for vitamin B₁, riboflavin, niacin or niacinamide and iron, supplied by such food when consumed in a specified quantity during a period of one day.

DISPOSITION: On 7-18-61, American Beauty Macaroni Co., claimant, filed an answer which denied that the article was misbranded. Thereafter the Government filed interrogatories and claimant filed answers and objections thereto. On 2-8-62, claimant having consented, and upon a finding of misbranding under 403(j) and without an adjudication of the charges under 403(a) and (d), the court entered a decree of condemnation and the article was destroyed.

28500. Diet soup concentrate. (F.D.C. No. 47237. S. No. 4-521 T.)

QUANTITY: 20 cases, 24 9-oz. cans each, at Madison Heights, Va.

SHIPPED: 1-22-62, from Augusta, Ga., by Castleberry's Food Co., Inc.

LABEL IN PART: (Can) "Castleberry's 194 Calorie Diet Soup Concentrate for Reducing Diets and Weight Control * * * Manufactured by Castleberry's Food Co., Augusta, Ga."

LIBELED: 3-15-62, W. Dist. Va.

CHARGE: 402(a) (3)—contained rodent hairs and insect fragments when shipped.

DISPOSITION: 6-4-62. Default—destruction.

INDEX TO NOTICES OF JUDGMENT F.N.J. NOS. 28401 TO 28500

PRODUCTS

	N.J. No.		N.J. No.
AFCO wafer meal	28442	Flavors. <i>See</i> Spices, flavors, and seasoning materials.	
Alfalfa tablets	28488	Flour	28403-28409
Almonds, unshelled	28466	oat	28409
Apple jelly	28450	self-rising	28407, 28408
Avocado dressing	28480	Formula 49 tablets	28494
Bakery products	28401, 28402	56 tablets	28494
Barley	28436	70 tablets	28494
Beans, black-eyed. <i>See</i> Peas, black-eyed.		267 tablets	28494
Great Northern, dried	28452	445 tablets	28494
kidney, dried	28453	Fruits and vegetables	28447-28459
lima, dried	28453	fruit, fresh	28447, 28448
BeBex tablets	28494	jam, jelly, and preserves	28449-28451
Blueberries, fresh	28447	vegetables and vegetable products	28452-28459
Boat. <i>See</i> Sea Queen.		Gera-Vite tablets	28493
Butter	28438	Grape jam	28449
Cake mixes	28437	Great Northern beans, dried	28452
Candy	28437	Ham	28460
Cashew nuts	28463, 28464	Hematonic Formula capsules	28491
Cat food, canned	28443	Hominy, canned	28455
Cereals and cereal products	28401-28437	Horseradish	28481
Chickens. <i>See</i> Meat products and poultry.		Hot sauce	28484
Chocolate coating	28478	Hyglo meat seasoning	28482, 28483
Cocomalt	28495	Jelly. <i>See</i> Jams, jelly, and preserves.	
Coconut, dried	28476	Kidney beans, dried	28453
frozen	28477	Kiddy Kaps Tastitreat tablets	28490
sliced	28478	Vitamin Chew tablets	28490
Cookies	28402	Vitamin Treat tablets	28490
Cornmeal	28403, 28404	Lecitabs (lecithin tablets)	28489
Crabmeat	28446	Lemon flavoring (imitation)	28485
Dairy products	28438, 28439	Lima beans, dried	28453
Dog food, canned	28444	M-C-V tablets	28493
Eggs, frozen	28440, 28441	Malted milk	28439
Feeds and grains	28442-28444	Meat products and poultry	28460-28462
Filberts, unshelled	28465		28462
Fill-Mix	28479	Milk, malted	28439
Fish and shellfish	28445, 28446		