

PRODUCT: 52 cartons at Chicago, Ill., and 21¹/₂ dozen packages of Bing's Compound and 263 circulars at Fort Wayne, Ind.

Analysis showed that the product consisted essentially of boric acid and less than 5 percent of salt. Sodium benzoate was absent.

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement "Benzoate Soda .001," on the label of the retail package, was false and misleading since a portion of the product contained no benzoate of soda and the labeled amount of benzoate of soda would have no preservative effect; in addition, certain statements on the label of the retail package and in an accompanying circular entitled, "Bing's Compound Important Canning Instructions," created the misleading impression that the use of the article in the process of canning fruits and vegetables would be completely safe and would insure the prevention of souring and spoilage; that the articles would be safe for use in the home canning of vegetables, fruits, and juices, pieplant, pickles, and meats, and would prevent spoilage in the process of canning such foods; that the inflow of the air into a covered can filled with fruit or vegetables during the process of home canning was not irreparable and could be corrected by further securing the cover of the can by the application of melted wax; that a period of 20 minutes would be sufficient for the cooking of peas, string beans, shelled beans, corn, and tomatoes even though the cans were filled "very full"; and that the use of 12 level teaspoonfuls of Bing's Compound for 12 quarts in canning meats, mincemeat, chicken, or beef, would insure safe canning and the prevention of spoilage of the food so canned. The article, when used as suggested, would not be completely safe; it would not accomplish the purposes implied in the labeling; securing of the cover by the use of melted wax or any other device would not prevent spoilage by air which had already entered the cans; the period of 20 minutes is insufficient for the cooking of food in which the cans are filled "very full," because heat penetration would be rendered very slow by the fullness of the cans; and home canning of foods requires more than the carrying out of the directions contained in the labeling in order to prevent spoilage.

Further misbranding of the lot at Chicago, Section 403 (a), the statement "Bing's Compound * * * Used with Fruits, Pickles, Meats and Vegetables," borne on the display cartons, was misleading since it failed to reveal the consequences which might result from the use of the article in pursuance of the directions contained in the circular, i. e., that the process of home canning directed by the circular would not insure the elimination of the causes of spoilage in home canning; and it failed to reveal that the quantities of boric acid, the principal ingredient of the article, which might be consumed when it was used as directed in the circular were such as may have rendered the article dangerous to health.

DISPOSITION: On February 7 and June 12, 1944, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

6783. Misbranding of dried chicken soup mix with egg noodles. U. S. v. 71 Cases of Dried Chicken Soup Mix. Default decree of condemnation and destruction. (F. D. C. No. 11710. Sample No. 30308-F.)

LIBEL FILED: January 25, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about February 16, 1943, by the Merchants Shippers Association, from Chicago, Ill.

PRODUCT: 71 cases, each containing 12 9-ounce jars, of dried chicken soup mix at San Francisco, Calif.

LABEL, IN PART: (Jars) "West's Chicken Soup Mix with Egg Noodles * * * Manufactured By Williams, West & Witt's * * * Chicago, Ill."

VIOLATION CHARGED: Misbranding, Section 403 (a), the statement on the label, "Chicken Soup Mix," was misleading as applied to the product, which contained no chicken meat and little, if any, chicken extractives, and which owed its flavor, at least in part, to artificial flavoring.

DISPOSITION: May 20, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6784. Misbranding of Wip. U. S. v. 30 Cases of Wip. Consent decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 11062. Sample No. 56832-F.)

LIBEL FILED: On or about November 8, 1943, District of Connecticut.

ALLEGED SHIPMENT: On or about September 11, 1943, by the Home Products Sales Corporation (Taylor-Reed Corporation subsidiary), Mamaroneck, N. Y.