

PRODUCT: 5 30-pound cartons of shelled walnuts at Salt Lake City, Utah.
LABEL, IN PART: "California Shelled Walnuts * * * Salted Bakers Granules."
VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae, larva fragments, and insect fragments.
DISPOSITION: September 30, 1944. No claimant having appeared, judgment was entered ordering that the product be disposed of as hog feed.

OILS AND FATS

7495. Adulteration and misbranding of French style dressing. U. S. v. 17 Cases of Dressing. Default decree of condemnation and destruction. (F. D. C. No. 13669. Sample No. 68134-F.)

LIBEL FILED: September 13, 1944, Northern District of Ohio.

ALLEGED SHIPMENT: On or about June 30 and July 29, 1944, by the Tally-Ho Kitchens, Cedar Falls, Iowa.

PRODUCT: 17 cases, each containing 24 1-pint jars, of French style dressing at East Cleveland, Ohio.

LABEL, IN PART: "Tally-Ho Dressing French Style * * * Contains * * * Salad Oil (Corn, Mineral and Cottonseed)."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, edible oil, had been in part omitted from the article; and, Section 402 (b) (2), an article containing mineral oil and less edible vegetable oil than French style dressing contains had been substituted in whole or in part for French style dressing.

Misbranding, Section 403 (a), the label statement, "Dressing French Style," was false and misleading as applied to the article, which contained mineral oil and only 5 percent of edible vegetable oil; and the label statement "Salad Oil" was false and misleading since mineral oil is not a salad oil.

DISPOSITION: October 17, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7496. Adulteration of edible oil. U. S. v. 8 Jugs of Oil. Default decree of condemnation. Product ordered sold to a rendering plant. (F. D. C. No. 13057. Sample No. 52660-F.)

LIBEL FILED: July 26, 1944, District of New Hampshire.

ALLEGED SHIPMENT: On or about June 19, 1944, by the Electricooker Sales, Inc., c/o John W. Leavitt Co., Boston, Mass.

PRODUCT: 8 1-gallon jugs of oil at Manchester, N. H.

Analysis showed that the product consisted essentially of cottonseed oil with a very small amount of peanut and olive oils.

LABEL, IN PART: "Nut Cooking Oil * * * A Blend of Refined Vegetable Oil and Olive Oil."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, olive oil, had been in part omitted; and, Section 402 (b) (2), a substance consisting essentially of cottonseed oil with very small amounts of peanut and olive oils had been substituted in whole or in part for a mixture of vegetable oil and a substantial quantity of olive oil, which the article was represented to be.

Misbranding, Section 403 (a), the label statement, "A Blend of Refined Vegetable Oil and Olive Oil," was misleading since it implied that the article contained a substantial amount of olive oil; 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 ingredient, since "Refined Vegetable Oil" is not the common or usual name of cottonseed and peanut oils.

DISPOSITION: October 24, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold to a rendering plant.

7497. Adulteration and misbranding of edible oil. U. S. v. 30 Cans of Oil. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 13609. Sample No. 82315-F.)

LIBEL FILED: September 6, 1944, Southern District of New York.

ALLEGED SHIPMENT: On or about June 20, 1944, by the Caruso Products Distributing Corporation, Newark, N. J.

PRODUCT: 31 1-gallon cans of oil at New York, N. Y.

LABEL, IN PART: "Sublime Product Extra Fine Oil Signora Brand Pure Oil Corn and Olive Oil."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), an artificially flavored mixture of corn and cottonseed oils, containing little, if any, olive oil, had been substituted in whole or in part for corn and olive oil, which the article was represented to be.

Misbranding, Section 403 (a), the statement "Corn and Olive Oil" was false and misleading as applied to an artificially flavored mixture of corn and cottonseed oils containing little, if any, olive oil; Section 403 (1) (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; and, Section 403 (k), it contained artificial flavoring and failed to bear labeling which stated that fact.

DISPOSITION: On or about October 10, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

7498. Adulteration and misbranding of edible oil. U. S. v. 165 Cans of Oil. Default decree of condemnation. Product ordered sold for use in the war effort. (F. D. C. Nos. 12188, 12299. Sample Nos. 50357-F, 50377-F.)

LABEL FILED: April 15, 1944, Southern District of Ohio; amended label filed May 1, 1944.

ALLEGED SHIPMENT: On or about October 4, 1943, and March 15, 1944, by the Keystone Grocery Distributing Co. of Pittsburgh, Inc., Pittsburgh, Pa.

PRODUCT: 165 1-gallon cans of oil at Steubenville, Ohio.

LABEL, IN PART: "Fortebraccio Brand 80% Cottonseed and Corn Oils 20% Pure Olive Oil."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), the article consisted essentially of artificially flavored cottonseed oil and some corn oil, with little or no olive oil.

Misbranding, Section 403 (a), the statement on the label, "80% Cottonseed and Corn Oils 20% Pure Olive Oil," was false and misleading; and, Section 403 (f), the label contained representations in a foreign language, Italian, and the statement of the quantity of contents and the list of ingredients, required by law to appear on the label, did not appear thereon in the foreign language.

DISPOSITION: September 29, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. An amended decree was entered on October 25, 1944, ordering that the product be disposed of to the local fat salvage committee.

7499. Adulteration and misbranding of edible oil. U. S. v. 37 Cans of Oil (and 1 other seizure action against oil). Decrees of condemnation. Portion of product ordered sold; remainder ordered released under bond. (F. D. C. Nos. 12189, 12308. Sample Nos. 51956-F, 52216-F, 52217-F.)

LIBELS FILED: April 14 and May 5, 1944, Districts of Maine and Rhode Island.

ALLEGED SHIPMENT: Between the approximate dates of June 15, 1943, and February 15, 1944, by the Catania Importing Co., Inc., from Boston, Mass.

PRODUCT: 37 1-gallon cans at Portland, Maine, and 15 cases and 5 cases, each containing 6 1-gallon cans, of oil at Pawtucket, R. I.

LABEL IN PART: (Cans) "La-Spagnola Brand Oil," or "La Purissima Brand Family Oil."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), a substance consisting essentially of cottonseed oil, with little or no olive oil, had been substituted for (La-Spagnola Brand) 85 percent cottonseed salad oil and 15 percent virgin olive oil, or (La Purissima Brand) 78 percent cottonseed oil and 22 percent olive oil, which the products were represented to be.

Misbranding, Section 403 (a), the statements on the labels, (La-Spagnola Brand) "85% Choice Cottonseed Salad Oil, 15% Virgin Olive Oil," or (La Purissima Brand) "78% High Grade Cotton Seed Oil and 22% First Grade Pure Imported Virgin Italian Olive Oil," were false and misleading as applied to articles consisting essentially of cottonseed oil with little or no olive oil; and, Section 403 (f), (La Purissima Brand only) the label contained representations in a foreign language, Italian, and the statement of the quantity of contents