LABEL, IN PART: (On a number of tubs) "Green Garden Food Products * * * Cottonseed Oil, Fresh Eggs, Sugar, Vinegar, Cornstarch and Spices. Color added Salad Dressing." The remainder of the tubs were unlabeled.

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent of the article, an edible food oil, had been in whole or in part omitted; Section 402 (b) (2), a product containing mineral oil, a nonnutritive substance, had been substituted for salad dressing, a product that does not contain nonnutritive mineral oil; and, Section 402 (b) (4), mineral oil, a substance having no food value, had been added to the article and had been mixed and packed with it so as to reduce its quality.

Misbranding (labeled portion), Section 403 (a), the label statement, "Cottonseed Oil, Fresh Eggs, Sugar, Vinegar, Cornstarch and Spices. Color added Salad Dressing," was false and misleading since the article did not consist entirely of the ingredients listed but consisted in large part of mineral oil, a nonnutritive substance not listed on the label; and, Section 403 (b), the article was not salad dressing but was a substance containing mineral oil, offered for sale under the name of salad dressing.

Further misbranding (unlabeled portion), Section 403 (b), the article was not salad dressing but was a substance containing mineral oil, and it was offered for sale under the name of salad dressing; Section 403 (e) (1), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear an accurate statement of the quantity of the contents; Section 403 (i) (1), it failed to bear the common or usual name of the article; and, Section 403 (i) (2), it failed to bear the common or usual name of each of the ingredients.

DISPOSITION: March 30, 1945. A plea of guilty having been entered, the defendant was fined $149 on count 1 and $1 on count 2, together with costs.

8079. Adulteration of salad dressing. U. S. v. 103 Cases of Salad Dressing. Default decree of condemnation. Product ordered used for war purposes. (F. D. C. No. 13495. Sample No. 71753–F.)

LIBEL FILED: September 2, 1944, District of Idaho.

ALLEGED SHIPMENT: On or about May 23 and 29, 1944, by the Tasty Foods Co., from Portland, Oreg.

PRODUCT: 103 cases, each containing 12 1-quart jars, of salad dressing at Nampa, Idaho.

LABEL, IN PART: "Over the Top Brand * * * Salad Dressing."

VIOLATION CHARGED: Adulteration, Section 402 (a) (2), the product contained an added poisonous and deleterious substance, monochloracetic acid, which was unsafe since it was a substance not required in the production of the food, and could have been avoided by good manufacturing practice.

DISPOSITION: March 31, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to the Fat Salvage Unit of the War Production Board.

MISCELLANEOUS FOOD PRODUCTS

8080. Adulteration of chewing gum. U. S. v. 133 Cases of Chewing Gum. Default decree of condemnation and destruction. (F. D. C. No. 14001. Sample No. 88140–F.)

LIBEL FILED: October 4, 1944, District of Massachusetts.

ALLEGED SHIPMENT: On or about August 14, 1944, by the Fort Bliss Exchange from El Paso, Tex. This was a returned shipment. The product was originally shipped by Gum Products, Inc., from Boston, Mass.

PRODUCT: 133 cases, each containing 55 boxes of 20 five-cent packages, of chewing gum, at Boston, Mass.

LABEL, IN PART: "Yanks Chewing Gum Aid to Brighter Teeth * * * Gum Products, Inc., Boston, Mass."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 11, 1945. Gum Products, Inc., having entered an appearance but having filed no answer, judgment of condemnation was entered and the product was ordered destroyed.