

**DISPOSITION:** October 4, 1945. The J. B. Gruman Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be denatured for use as stock feed, under the supervision of the Federal Security Agency.

**8646. Adulteration of ginger. U. S. v. 127 Bags of Ginger (and 2 other seizure actions against ginger). Consent decrees of condemnation. Product ordered released under bond.** (F. D. C. No. 15641. Sample Nos. 22633-H, 22639-H, 22640-H.)

**LIBELS FILED:** March 17, 1945, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about June 26, 1944, by Volkart Brothers, from New Orleans, La.

**PRODUCT:** 198 180-pound bags and 8 200-pound bags of ginger, at St. Louis, Mo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles, larvae, and insect fragments.

**DISPOSITION:** April 5, 1945. The David G. Evans Coffee Co., St. Louis, Mo., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be destroyed or brought into compliance with the law, under the supervision of the Food and Drug Administration.

**8647. Adulteration of ground ginger. U. S. v. 9 Cartons of Ground Ginger. Default decree of condemnation and destruction.** (F. D. C. No. 15873. Sample No. 26053-H.)

**LIBEL FILED:** April 10, 1945, Northern District of Texas.

**ALLEGED SHIPMENT:** On or about January 3, 1944, by Spices, Inc., from Los Angeles, Calif.

**PRODUCT:** 9 cartons, each containing 24 2-ounce boxes, of ground ginger at Sweetwater, Tex.

**LABEL, IN PART:** "El Rey Ginger Spices Inc. Los Angeles."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance, insect fragments and rodent hairs, and it was unfit for human consumption.

**DISPOSITION:** October 1, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8648. Adulteration and misbranding of imitation black pepper. U. S. v. 299 Cards of Imitation Black Pepper. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 16743. Sample No. 21867-H.)

**LIBEL FILED:** June 30, 1945, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about April 21, 1945, by the Gem Packing and Sales Co., from Houma, La.

**PRODUCT:** 299 cards (each with 16 envelopes attached) of imitation black pepper at Covington, Tenn. The product was short-weight, and the printing on the envelopes was practically illegible.

**LABEL, IN PART:** (Cards) "Bayou Maid Black Pepper"; (envelopes) "Bayou Maid Imitation Black Pepper \* \* \* Made with Roasted Rye, Bran Flour, Pepper, Parts of Cotton Seed and Wheat Flour 1½ Oz. Net Weight."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a substance consisting essentially of ground buckwheat hulls, wheat flour, corn meal, salt, and a pungent flavoring, and containing little, if any, pepper, had been substituted in whole or in part for black pepper.

Misbranding, Section 403 (a), the designation on the cards, "Black Pepper," was false and misleading as applied to a mixture consisting of the above-named ingredients; Section 403 (c), the product was an imitation of black pepper, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 403 (f), the name and place of business of the manufacturer, packer, or distributor, the statement of the quantity of the contents, and the common or usual name of each ingredient, required by law to appear on the label, were not prominently displayed thereon with such conspicuousness (as compared with other words, statements, designs, or

devices in the labeling) as to render them likely to be read by the ordinary individual under customary conditions of purchase and use.

**DISPOSITION:** July 31, 1945. The Gem Packing and Sales Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

**8649. Adulteration and misbranding of popcorn seasoning. U. S. v. 40 Drums and 45 Drums of Pop Corn Seasoning. Default decree of condemnation and destruction.** (F. D. C. Nos. 16987, 16988. Sample Nos. 31356-H, 31357-H.)

**LIBEL FILED:** August 3, 1945, Southern District of California.

**ALLEGED SHIPMENT:** On or about June 8 and 15, 1945, by the Suzanne Processed Oil Co., from Boston, Mass.

**PRODUCT:** 40 drums and 45 drums, each containing 435 pounds, of popcorn seasoning at Los Angeles, Calif.

**LABEL, IN PART:** "Flow Brand Pop Corn Seasoning Full Flavored Pure and Wholesome Contains Soya Bean Oil Artificially flavored with butyric acid, esters, artificially colored."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, soybean oil, had been essentially removed from the article; Section 402 (b) (2), artificially flavored and artificially colored nonnutritive mineral oil had been substituted in whole or in part for popcorn seasoning containing soybean oil, which the article was represented to be; and, Section 402 (b) (4), (1) mineral oil, having no food value, had been added to the article and mixed and packed with it so as to reduce its quality or strength; (2) yellow artificial color had been added to the article and mixed and packed with it so as to make it appear to be an edible oil, which oil is better and of greater value than mineral oil.

Misbranding, Section 403 (a), the label statement, "Contains Soya Bean Oil Artificially flavored with butyric acid, esters, artificially colored," was false and misleading as applied to the article, which consisted essentially of artificially flavored and colored mineral oil containing little or no soybean oil.

**DISPOSITION:** October 12, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8650. Adulteration and misbranding of lemon oil. U. S. v. 4 Cans of Lemon Oil. Default decree of condemnation. Product ordered delivered to charitable institutions.** (F. D. C. No. 16303. Sample No. 4727-H.)

**LIBEL FILED:** May 26, 1945: Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about April 16, 1945, by T. M. Duche & Sons, Inc., from New York, N. Y.

**PRODUCT:** 4 25-pound cans of lemon oil at Philadelphia, Pa.

**LABEL, IN PART:** "Calif. Oil of Lemon USP 25# Net Dagger Brand."

**NATURE OF CHARGE:** Adulteration, Section 402 (b), a valuable constituent, oil of lemon, had been in whole or in part omitted from the article.

Misbranding, Section 403 (a), the label statement, "Oil of Lemon USP," was false and misleading as applied to a product which was not oil of lemon, U. S. P.

**DISPOSITION:** October 16, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

## INDEX TO NOTICES OF JUDGMENT F. N. J. NOS. 8501 TO 8650

### PRODUCTS

	N. J. No.		N. J. No.
Alfalfa meal and alfalfa leaf meal	8587, 8588	Beets. See Borscht.	
Almonds	8642	Beverages and beverage materials	<sup>2</sup> 8501-8510
Bakery products	8517-8528	Blended flour	8543
Bean(s), green, canned	8609	Borscht	8612
kidney	8610	Bread	8517-8523
sprouts	8611	Bromated flour	8546
soy	8611		

<sup>1</sup> (8587) Permanent injunction issued.

<sup>2</sup> (8502) Seizure contested. Contains findings of fact and conclusions of law.