

Brilliant Rose," marks and identification devices authorized and required by the coal-tar color regulations. Such marks and identification devices, namely, "G 6908," "G 5689," and "G 4265," had been assigned by the Food and Drug Administration to a firm other than the defendant for use on certain batches of certified coal-tar colors. The above-designated colors were not from the batches of coal-tar colors to which the above marks and identification devices had been assigned, but were uncertified coal-tar color mixtures of different composition.

The indictment charged also that the defendant shipped, between 2-7-56 and 4-9-56, from California to Nevada, the above-named products, a product designated as "Fruit Shade Red Liquid Color," and bronze powder, which products and powder were adulterated as described below.

LABEL IN PART: (Jar) "Decorator Paste 4 oz. Brown Contains: Sugar, Glycerine and Water. Certified Food Color #G 6908 WESTCO" or "4 Oz. Paste Color Violet Contains: Sugar, Glycerine and Water. Certified Food Color Lot #G 5689 WESTCO" or "4 Oz. Paste Color Brilliant Rose Contains: Sugar, Glycerine and Water. Certified Food Color Lot #G 4265 WESTCO" or "Samson Bronze Powder Finest Grade Pale Gold Brilliant Pound Mix sufficient powder with bronzing liquid (either lacquer or varnish base) to a creamy consistency. Thin out with additional vehicle to obtain desired viscosity. Flow on evenly with soft camel hair brush. Porous surfaces should be sealed before application of bronze," or "Westco Brand Serving Bakers and Confectioners Fruit Shade Red Liquid Color A standardized liquid color compounded from U. S. Certified Color, Propylene Glycol and Water. Net When Packed—1 Quart Westco Products."

CHARGE: *Bronze Powder:* 402 (a) (1)—contained, when shipped, poisonous and deleterious substances, copper and zinc, which may render the article injurious to health.

Other products: 402 (c)—the articles, when shipped, contained a coal-tar color mixture other than one from a batch certified in accordance with the requirements of the law.

PLEA: Nolo contendere.

DISPOSITION: 11-4-57. \$2,150 fine.

24350. Annatto seeds (2 seizure actions). (F. D. C. Nos. 40765, 40766. S. Nos. 49-043/5 M.)

QUANTITY: 157 100-lb. bags and 96 175-lb. bags at Kalamazoo, Mich., in possession of Farmers' Chemical Co., Inc.

SHIPPED: 6-14-57 and 6-28-57, from Brooklyn and New York, N. Y.

LIBELED: 10-3-57, W. Dist. Mich.

CHARGE: 402 (a) (3)—all lots contained insects while held for sale; and 402 (a) (4)—102 bags of the 157-bag lot were held under insanitary conditions.

DISPOSITION: 10-10-57. Consent—claimed by Farmers' Chemical Co., Inc. Reconditioned; 6,365 lbs. were destroyed.