DISPOSITION: February 20, 1946. The James H. Forbes Tea and Coffee Co., St. Louis, Mo., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

9392. Adulteration of sauces. U. S. v. 71 Cases, 90 Cases, and 29 Cases of Sauces (and 4 other seizure actions against sauces). Default decrees of condemnation and destruction. (F. D. C. Nos. 17058, 17923, 18053, 18848, 18911. Sample Nos. 1218-H, 18273-H, 18274-H, 31675-H, 37413-H, 37417-H, 50653-H.)

LIBELS FILED: September 20 and October 11 and 26, 1945, and January 15 and 25, 1946, Middle District of Georgia, Southern District of Iowa, Southern District of California, District of North Dakota, and Western District of Washington.

ALLEGED SHIPMENT: Between the approximate dates of October 30, 1944, and August 14, 1945, by the Del-Mar Co., Dallas, Tex.

PRODUCT: 473 cases, each containing 48 bottles, 241 cases, each containing 24 bottles, and 126 bottles of sauces in various lots at Des Moines, Iowa, San Diego, Calif., Columbus, Ga., Fargo, N. Dak., and Tacoma, Wash. Examination showed that the products were undergoing fermentation.

LABEL, IN PART: "Imperial Catsup Style Sauce * * * 6 Fl. Oz.," or "Alamo Brand Sauce for Meat – Fish Fowl Contents 6 Fl. Oz."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of decomposed substances.

DISPOSITION: November 29 and December 7 and 20, 1945, and February 21 and April 22, 1946. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

MISCELLANEOUS FOODS

9393. Adulteration of mincemeat. U. S. v. 41 Pails and 12 Barrels of Mince Meat. Default decree of condemnation and destruction. (F. D. C. Nos. 17028, 17029. Sample Nos. 28871-H, 28873-H.)

LIBEL FILED: August 22, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about June 14, 1945, by the E-W Products Co., from San Francisco, Calif.

PRODUCT: 41 48-pound pails and 12 150-pound barrels of mincemeat at Seattle, Wash.

LABEL, IN PART: "E-W Brand Mince Meat."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy and decomposed substance by reason of the presence of rodent hairs and fermented mincemeat.

DISPOSITION: April 4, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9394. Misbranding of gelatin dessert. U. S. v. 19 Cases of Gelatin Dessert. Consent decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 19050. Sample No. 30370-H.)

LIBEL FILED: February 12, 1946, District of Colorado.

ALLEGED SHIPMENT: On or about January 3, 1946, by the Emes Kosher Products Co., from Chicago, Ill.

PRODUCT: 19 cases, each containing 36 cartons, of gelatin dessert at Denver, Colo. Examination disclosed that the product was short-weight, and that the cartons were not properly filled.

LABEL, IN PART: (Carton) "Emes Kosher-Jel A Parave Gelatine Dessert Net Wt. 2¾ Ozs."

NATURE OF CHARGE: Misbranding, Section 403 (d), the container of the article was so filled as to be misleading since the dessert occupied only about 55 percent of the volume of the carton; and, Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: March 11, 1946. The shipper having authorized the taking of a decree, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.