

PRODUCT: 10 cases, each containing 48 cartons, of vegetable shortening at Savannah, Ga.

LABEL, IN PART: "One Pound Net Domino Shortening."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the label of the article failed to contain an accurate statement of the quantity of contents. (The product was short-weight.)

DISPOSITION: June 17, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

MISCELLANEOUS FOOD PRODUCTS

12396. Misbranding of gelatin dessert powder. U. S. v. 35 Cases * * *. (F. D. C. No. 22660. Sample Nos. 52497-H, 52498-H.)

LABEL FILED: February 28, 1947, Southern District of Ohio.

ALLEGED SHIPMENT: On or about February 6, 1947, by the Midwest Food Distributing Co., from Chicago, Ill.

PRODUCT: 35 cases of gelatin dessert powder at Cincinnati, Ohio. Each case contained 48 1½- or 3-ounce packages of the product.

LABEL, IN PART: "Carmel Kosher Gel-Dessert."

NATURE OF CHARGE: Misbranding, (1½-ounce size) Section 403 (a), the label designation "Gel-Dessert" was misleading, since the label failed to reveal, with equal conspicuousness, that the purchaser must supply the sugar in order to make a finished dessert; Section 403 (d), (both sizes) the containers of the articles were so filled as to be misleading since the packages of 1½-ounce size could have held over twice the amount, and the packages of 3-ounce size could have held almost twice the amount, of gelatin dessert powder contained therein and both size packages appeared to hold more of the product than was contained in them; and, Section 403 (k), (both sizes) the article contained artificial coloring and failed to bear labeling stating that fact, since the statement "U. S. Certified Fruit Colors" was not a declaration of the presence of artificial color. The colors used were not derived from fruit but were coal-tar colors.

DISPOSITION: April 28, 1947. Default decree of condemnation. Product ordered delivered to a charitable institution.

12397. Adulteration of bubble gum. U. S. v. 25 Boxes * * *. (F. D. C. No. 23403. Sample No. 71557-H.)

LABEL FILED: August 8, 1947, Southern District of California.

ALLEGED SHIPMENT: On or about April 15 and May 5, 1947, by Andrew J. Paris Import Sales Co., from McAllen, Tex.

PRODUCT: 25 boxes, each containing 120 pieces, of bubble gum at Oceanside, Calif.

LABEL, IN PART: "Paris Bubble Gum * * * Made in Mexico."

NATURE OF CHARGE: Adulteration, Section 402 (c), the product contained D&C Red No. 19, a coal-tar color that had not been listed for use in food in accordance with the regulations, and was other than one from a batch that had been certified.

DISPOSITION: October 24, 1947. Default decree of condemnation and destruction.

12398. Adulteration and misbranding of coal-tar color. U. S. v. 2 Cans * * *. (F. D. C. No. 22922. Sample No. 64677-H.)

LABEL FILED: April 14, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about February 7, 1947, by the Bates Chemical Company, from Lansdowne, Pa.

PRODUCT: 2 25-pound cans of coal-tar color at New York, N. Y.

LABEL, IN PART: "FD&C Red #1 (Ponceau 3R) Lot No. C4673."

NATURE OF CHARGE: Adulteration, Section 402 (c), the article contained a coal-tar color other than one from a batch that had been certified in accordance with regulations.

Misbranding, Section 403 (a), the label statements "Lot No. C4673 * * * This Certified Dye * * * Certified Food Colors" were false and mislead-

ing since the product was not a certified coal-tar color. (This product contained not more than 87 percent of pure dye and not less than 5.5 percent of salt, while the color certified under lot number C4673 consisted of a coal-tar color containing 92.7 percent of dye and 2.7 percent of salt.)

DISPOSITION: May 5, 1947. Default decree of condemnation and destruction.

12399. Adulteration of egg color and red color. U. S. v. 15 Pint Bottles, etc. (F. D. C. No. 22374. Sample Nos. 81802-H, 81803-H.)

LIBEL FILED: January 14, 1947, Eastern District of Washington.

ALLEGED SHIPMENT: On or about January 18, 1946, by Smith-Junior Co., Inc., from Rochester, N. Y.

PRODUCT: 15 pint bottles of egg color and 24 pint bottles and 24 quart bottles of red color at Spokane, Wash. Examination showed that the egg color contained Tartrazine FD&C Yellow No. 5, and that the red color contained Amaranth, FD&C Red No. 1, coal-tar colors which are certifiable but which were not certified in accordance with the regulations.

LABEL, IN PART: "Smith-Junior Egg Color," and "Smith-Junior Red Color."

NATURE OF CHARGE: Adulteration, Section 402 (c), the articles contained coal-tar colors other than those from batches certified in accordance with regulations.

DISPOSITION: March 24, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12400. Adulteration and misbranding of Anti-Skipper compound. U. S. v. 3 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 22900, 23122. Sample Nos. 53874-H, 55119-H.)

LIBELS FILED: On or about April 4 and May 27, 1947, Middle District of Tennessee and Northern District of Georgia.

ALLEGED SHIPMENT: On or about February 3 and 24, 1947, by the Hamilton-Bacon-Hamilton Co., Inc., from Bristol, Va.

PRODUCT: Anti-Skipper compound. 3 cases, each containing 48 7-ounce cans, at Nashville, Tenn., and 11 cases, each containing 24 7-ounce cans, at Griffin, Ga.

LABEL, IN PART: (Can) "Bacon's Famous Brand Anti-Skipper Compound * * * Bacon Manufacturing Co., Bristol, Va.-Tenn."

NATURE OF CHARGE: Adulteration, Section 402 (a) (1), the article contained an added poisonous and deleterious substance, borax, which may have rendered it injurious to health.

Misbranding, Section 403 (a), the following label statements were misleading since they represented and suggested that the article might safely be used, whereas such use would be potentially dangerous to the health of the consumer: "Anti-Skipper Compound * * * to Prevent Skippers on Cured Meats * * * Bacon's Anti-Skipper Compound when used according to directions will prevent skippers in your meat during the entire year * * * contains enough Bacon's Anti-Skipper Compound to treat about 300 pounds of meat."

DISPOSITION: July 24 and August 15, 1947. Default decrees of condemnation and destruction.

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PRODUCTS

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