12795. Adulteration of sandwich spread. U. S. v. 12 Cases * * *. (F. D. C. No. 22519. Sample No. 62623–H.)

LIBEL FILED: February 12, 1947, Northern District of California.

ALLEGED SHIPMENT: On or about December 6, 1945, by the Washington Creamery Co., from Seattle, Wash.

PRODUCT: 12 cases, each containing 48 3½-ounce cans, of sandwich spread at Sacramento, Calif.

LABEL, IN PART: "Turko Sandwich Spread."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of pin feathers.

DISPOSITION: March 14, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12796. Adulteration of sunflower seed. U. S. v. 350 Bags * * *. (F. D. C. No. 22443. Sample No. 73410–H.)

LIBEL FILED: January 28, 1947, District of Minnesota.

ALLEGED SHIPMENT: On or about October 3, 1946, from Manteca, Calif.

PRODUCT: 353 100-pound bags of sunflower seeds at St. Paul, Minn., in possession of the Central Warehouse Co. The article was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta was observed on them. Examination showed that the article contained rodent excreta, rodent hair fragments, and insects.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 13, 1947. The Fisher Nut & Chocolate Co., St. Paul, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Federal Security Agency.

12797. Misbranding of Reid's Special Dessert. U. S. v. 6 Bags, etc. (F. D. C. No. 22995. Sample Nos. 86641–H, 86642–H.)

LIBEL FILED: April 25, 1947, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about November 2, 1946, by Reid Murdoch & Co., from Chicago, Ill.

PRODUCT: 6 bags, each containing 75 pounds, of Reid's Special Dessert at St. Louis, Mo., together with 2 boxes, each containing 75 8-ounce bags, of a product which had been repackaged from bulk material labeled "Reid's Special Dessert." Examination showed that the product consisted essentially of potato starch.

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "Special Dessert" was false and misleading as applied to potato starch; 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 a label containing an accurate statement of the quantity of the contents; and, Section 403 (i) (1) the label failed to bear the common or usual name of the article.

DISPOSITION: June 13, 1947. Default decree of condemnation. The product was ordered delivered to a charitable organization.

12798. Misbranding of coconut custard mix. U. S. v. 298 Cases * * * (F. D. C. No. 22586. Sample No. 52491–H.)

LIBEL FILED: February 27, 1947, Southern District of Ohio.

ALLEGED SHIPMENT: On or about October 12, 1946, by Verifine Foods, from Chicago, Ill.

PRODUCT: 298 cases, each containing 16 1½-ounce packages, of coconut custard mix at Cincinnati, Ohio.

LABEL, IN PART: "Hixson's Coconut Custard Mix."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements (package) "Dry Milk Solids * * * Sugar" and (display streamers) "Eggs,