

**NATURE OF CHARGE:** Misbranding, Section 403 (b), the article consisted of mineral oil, a nonnutritive substance, and it was offered for sale under the name of another food, salad oil, a nutritive substance; and, Section 403 (i), the label of the article failed to bear the common or usual name of the food, mineral oil.

The information charged also misbranding of another shipment of Ramol, which was represented to be a drug, under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 2398.

**DISPOSITION:** December 19, 1947. Pleas of guilty having been entered, the court imposed a fine of \$300 and costs against defendant Frank and a fine of \$600 and costs against defendant Pew.

**13346. Adulteration and misbranding of oil. U. S. v. 6 Cans \* \* \* (and 3 other seizure actions).** (F. D. C. Nos. 21944, 21946, 22137, 22141. Sample Nos. 65637-H, 65638-H, 65647-H, 65650-H.)

**LIBELS FILED:** December 5 and 30, 1946, and January 2, 1947, Eastern District of Pennsylvania and District of Delaware.

**ALLEGED SHIPMENT:** On or about October 30 and November 4, 1946, by Emperor Dairy Products Co., Inc., from New York, N. Y.

**PRODUCT:** Oil. 6 cans, 10 cans, and 50 cases each containing 6 cans, at Philadelphia, Pa., and 24 cans at Wilmington, Del.

**LABEL, IN PART:** (Cans) "Contents One Gallon Emperor Brand Extra Quality Oil 80% Peanut Oil and 20% Pure Olive Oil."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), an artificially flavored oil of the nature of soybean oil, containing little or no olive oil or peanut oil, had been substituted for a mixture of peanut and olive oil, which the article was represented to be; and, Section 402 (b) (4), artificial flavoring had been added to the article and mixed and packed therewith so as to make it appear to be, or to contain substantial amounts of, olive oil, which is better and of greater value than soybean oil.

Misbranding, Section 403 (a), the label statement "80% Peanut Oil and 20% Pure Olive Oil" was false and misleading; Section 403 (k), the article contained artificial flavoring and failed to bear labeling stating that fact; and, Section 403 (e) (2), a portion of the article failed to bear a label containing an accurate statement of the quantity of contents (this portion of the article was short-volume).

**DISPOSITION:** December 19, 1946, and January 22 and February 27, 1947. The Emperor Dairy Products Co., Inc., having appeared as claimant for 6 cans and 50 cases of the product and having consented to the entry of decrees, and the cases involving these two lots having been consolidated, judgment of condemnation was entered and the product was ordered released under bond for rerefining, purifying, repacking, and relabeling under the supervision of the Federal Security Agency. No claimant having appeared for the other lots, they were condemned and ordered destroyed.

**13347. Adulteration and misbranding of french dressing. U. S. v. 18 Cases \* \* \* (and 1 other seizure action).** (F. D. C. Nos. 22838, 22839. Sample Nos. 76824-H, 76859-H.)

**LIBELS FILED:** April 15 and 16, 1947, District of South Dakota and District of North Dakota.

**ALLEGED SHIPMENT:** On or about July 29, August 8, and November 13, 1946, from Minneapolis, Minn., by the Lano Food Products Co. and the Wholesale Supply Co.

**PRODUCT:** French dressing. 18 cases at Aberdeen, S. Dak., and 49 cases at Grand Forks, N. Dak. Each case contained 24 jars.

**LABEL, IN PART:** "LaMonte French Dressing Manufactured By Lano Food Products Co. Minneapolis \* \* \* 16 Fl. Ounces [or "8 Fl. Oz."]."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, oil, had been in whole or in part omitted from the article. (The article contained an insignificant amount of oil.)

Misbranding, Section 403 (a), the label designation "French Dressing" was false and misleading; and, Section 403 (e) (2), the lot labeled "16 Fl. Ounces"

failed to bear a label containing an accurate statement of the quantity of the contents. (The jars contained less than 16 fluid ounces.)

**DISPOSITION:** On May 29, 1947, the Lano Food Products Co. having appeared as claimant for the North Dakota lot and 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 Food and Drug Administration. Subsequently, upon a showing that there was no market for the product, the court ordered it delivered to some charitable institution or destroyed. On June 9, 1947, no claimant having appeared for the South Dakota lot, it was condemned and ordered delivered to a local hospital.

**13348. Adulteration of mayonnaise. U. S. v. 22 Cases \* \* \* (and 1 other seizure action).** (F. D. C. Nos. 21893, 21894. Sample Nos. 42693-H, 43154-H, 43155-H.)

**LIBELS FILED:** November 27, 1946, Southern District of West Virginia.

**ALLEGED SHIPMENT:** On or about October 21 and 28, 1946, by the Dixie Brokerage Co., from Columbia, S. C.

**PRODUCT:** Mayonnaise. 15 cases, each containing 24 1-pint jars, and 7 cases, each containing 12 1-quart jars, at St. Albans, W. Va., and 68 cases, each containing 12 1-quart jars, and 6 cases, each containing 12 1-pint jars, at Beckley, W. Va.

**LABEL, IN PART:** "Caldwell's Mayonnaise Contains Mineral Oil, Starch, Eggs, Vinegar, Salt and Other Spices Made By Caldwell's Cafeteria, Columbia, S. C. Sales Agent Dixie Brokerage Co., Columbia, S. C."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (1), the product contained approximately 55 percent of added mineral oil, a deleterious substance, which may have rendered it injurious to health; Section 402 (b) (1), a valuable constituent, edible vegetable oil, had been omitted; Section 402 (b) (2), a product containing mineral oil had been substituted for mayonnaise; and, Section 402 (b) (4), mineral oil had been added to the product and mixed with it so as to reduce its quality and strength.

**DISPOSITION:** January 15, 1947. Default decrees of condemnation and destruction.

**13349. Adulteration of mayonnaise. U. S. v. 33 Cases \* \* \* (and 2 other seizure actions).** (F. D. C. Nos. 21804 to 21806, incl. Sample Nos. 43156-H, 43157-H, 43159-H.)

**LIBELS FILED:** December 2, 1946, Southern District of West Virginia.

**ALLEGED SHIPMENT:** On or about October 19 and 26, 1946, by Caldwell's Cafeteria, from Columbia, S. C.

**PRODUCT:** Mayonnaise. 63 cases, each containing 24 1-pint jars, and 8 cases, each containing 12 1-quart jars, at Eskdale, W. Va., and 19 cases, each containing 24 1-pint jars, at Charleston, W. Va.

**LABEL, IN PART:** "Caldwell's Mayonnaise Contains Mineral Oil, Starch, Eggs, Vinegar, Salt and Other Spices Made By Caldwell's Cafeteria, Columbia, S. C."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (1), the product contained approximately 51 percent of added mineral oil, a deleterious substance, which may have rendered it injurious to health; Section 402 (b) (1), a valuable constituent, edible vegetable oil, had been omitted; Section 402 (b) (2), a product containing mineral oil had been substituted for mayonnaise, which contains edible vegetable oil and does not contain mineral oil; and, Section 402 (b) (4), mineral oil had been added to the product and mixed and packed therewith so as to reduce its quality and strength.

**DISPOSITION:** January 15, 1947. Default decrees of condemnation and destruction.

**13350. Adulteration of salad dressing. U. S. v. 51 Cases, etc. (and 2 other seizure actions).** (F. D. C. Nos. 21122, 21124, 21784. Sample Nos. 64388-H to 64391-H, incl., 69310-H.)

**LIBELS FILED:** Between October 1, 1946, and September 9, 1947, Northern District of New York and Northern District of Illinois.