

DISPOSITION: April 29, 1953. Western Grocer, a Division of the Consolidated Grocers Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reconditioning under the supervision of the Department of Health, Education, and Welfare. As a result of the reconditioning operations, 108 pounds of the product were found unfit and were destroyed.

SPICES, FLAVORS, AND SEASONING MATERIALS

20448. Adulteration of dried chili pods. U. S. v. 184 Bags * * *. (F. D. C. No. 34576. Sample No. 44202-L.)

LIBEL FILED: January 30, 1953, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about November 25, 1952, by the E. C. Fogal Ranch, from Huntington Beach, Calif.

PRODUCT: 184 230-pound bags of dried chili pods at Oklahoma City, Okla.

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

DISPOSITION: February 27, 1953. E. C. Fogal, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the unfit portion, under the supervision of the Food and Drug Administration.

As a result of the segregation operations, 1,309 pounds of the product were found unfit and were destroyed.

20449. Adulteration and misbranding of black pepper. U. S. v. 1,236 Shakers * * *. (F. D. C. No. 34885. Sample No. 49837-L.)

LIBEL FILED: March 10, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about February 4, 1953, by Unger & Sons, from Brooklyn, N. Y.

PRODUCT: 1,236 shakers of black pepper at Passaic, N. J.

LABEL, IN PART: (Shaker) "Pure Black Pepper Contents $\frac{5}{16}$ Oz."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of pepper with salt had been substituted in whole or in part for black pepper, which the article purported to be; and, Section 402 (b) (4), salt had been added to the article and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

Misbranding, Section 403 (a), the label designation "Pure Black Pepper" was false and misleading as applied to an article consisting of pepper with salt added.

DISPOSITION: May 14, 1953. Default decree of condemnation. The court ordered that the product be delivered to certain charitable organizations, provided that examination by the Food and Drug Administration showed that the product was fit for human consumption.

20450. Adulteration and misbranding of french dressing. U. S. v. 14 Cases * * *. (F. D. C. No. 34783. Sample No. 58842-L.)

LIBEL FILED: March 27, 1953, Western District of Michigan.

ALLEGED SHIPMENT: On or about January 15, 1953, by U. S. Brands, Inc., from Cleveland, Ohio.

PRODUCT: 14 cases, each containing 12 8-ounce jars, of french dressing at Kalamazoo, Mich.

LABEL, IN PART: (Jar) "Quaker French Dressing."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vegetable oil, had been in part omitted from the article.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for french dressing since it contained less than 35 percent by weight of vegetable oil, the minimum permitted by the definition and standard.

DISPOSITION: April 23, 1953. The shipper and the consignee of the product having indicated that they did not desire to contest the matter, judgment of condemnation was entered and the court ordered that the product be delivered to a Federal institution for its use and not for sale.

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U. S. Department of Health, Education, and Welfare

FOOD AND DRUG ADMINISTRATION

**NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD,
DRUG, AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

20451-20500

FOODS

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. Published by direction of the Secretary of Health, Education, and Welfare.

CHARLES W. CRAWFORD, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *June 30, 1954.*

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