

PRODUCT: 9 bags containing from 95 to 135 pounds of dried chili pepper pods at Winona, Minn.

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 insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 22, 1953. Default decree of destruction.

20494. Adulteration of chilies. U. S. v. 117 Bags * * *. (F. D. C. No. 34964. Sample No. 23301-L.)

LIBEL FILED: April 21, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about January 27, 1950, from Istanbul, Turkey.

PRODUCT: 117 55-pound bags of chilies at New York, N. Y., in the possession of William M. Allison & Co.

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 excreta; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: June 15, 1953. Van Loan & Co., Inc., New York, N. Y., 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 Department of Health, Education, and Welfare. As a result of the segregation operations, 3,019 pounds of the product were found unfit and were destroyed.

20495. Adulteration of chilies. U. S. v. 46 Bags * * *. (F. D. C. No. 34967. Sample No. 23300-L.)

LIBEL FILED: April 24, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about February 4, 1950, from Turkey.

PRODUCT: 46 88-pound bags of chilies at New York, N. Y., in the possession of William M. Allison & Co.

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 excreta and rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: June 15, 1953. Van Loan & Co., Inc., New York, N. Y., 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 the purpose of segregating and destroying the unfit portion under the supervision of the Department of Health, Education, and Welfare. 906 pounds were found unfit and were destroyed.

20496. Adulteration and misbranding of black pepper. U. S. v. 1 Drum * * *. (F. D. C. No. 34738. Sample No. 54492-L.)

LIBEL FILED: March 4, 1953, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about January 21, 1953, from Chicago, Ill., by Kearns & Smith Spice Co., Inc.

PRODUCT: 1 drum containing 25 pounds of black pepper at Milwaukee, Wis.

LABEL, IN PART: "K & S Brand Grd. Black Pepper."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, pepper, had been in part omitted from the article; and, Section 402 (b) (2), a mixture of black pepper, cottonseed hulls, wheat flour, soybean flour, and grains of paradise had been substituted in whole or in part for pepper.

Misbranding, Section 403 (a), the label designation "Black Pepper" was false and misleading as applied to a mixture of black pepper, cottonseed hulls, wheat flour, soybean flour, and grains of paradise.

DISPOSITION: April 13, 1953. Default decree of condemnation and destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

20497. Adulteration and misbranding of multiple vitamin capsules. U. S. v. 5 Bottles * * *. (F. D. C. No. 34734. Sample No. 17241-L.)

LIBEL FILED: March 6, 1953, Southern District of California.

ALLEGED SHIPMENT: On or about December 6, 1950, from Syracuse, N. Y.

PRODUCT: 5 bottles of multiple vitamin capsules at Los Angeles, Calif. Analysis showed that the product contained 60 percent of the declared amount of vitamin D.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in whole or in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement "Each Capsule Contains: Vitamin D * * * 500 U. S. P. Units" was false and misleading as applied to the article, which contained less than that amount of vitamin D.

The article was adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: April 27, 1953. Default decree of condemnation and destruction.

20498. Adulteration and misbranding of Orvita. U. S. v. 9 Bottles * * *. (F. D. C. No. 34741. Sample No. 56472-L.)

LIBEL FILED: March 6, 1953, Southern District of Ohio.

ALLEGED SHIPMENT: On or about June 26 and July 16, 1951, from Los Angeles, Calif.

PRODUCT: 9 1-pint bottles of Orvita, a dietary supplement, at Cincinnati, Ohio. Analysis showed that the product contained less than 10 percent of the declared amount of vitamin B₁₂.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B₁₂, had been in whole or in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement "3 teaspoonsful contains: * * * Vitamin B₁₂ U. S. P. 3 Mcg." was false and misleading as applied to the article, which contained less than that amount of vitamin B₁₂.

The article was adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: April 20, 1953. Default decree of condemnation and destruction.

20499. Misbranding of Vit-Ra-Tox No. 21. U. S. v. 25 Cartons * * *. (F. D. C. No. 34391. Sample Nos. 62612-L, 62613-L.)

LIBEL FILED: January 6, 1953, Eastern District of Missouri.