

products were found unfit and were destroyed and 71 cases were found to be good and were released.

21749. Adulteration and misbranding of miscellaneous foods. U. S. v. 10,000 Cases * * *. (F. D. C. No. 36507. Sample No. 80454-L.)

LIBEL FILED: April 13, 1954, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: From various sources outside the State of Pennsylvania, prior to November 1951.

PRODUCT: 10,000 cases, more or less, each containing a number of packages of foods, including canned applesauce, fruit cocktail, sweet corn, pineapple tidbits, sweetpotatoes, jack mackerel, sardines and tomato sauce, and a number of 1-pound boxes of red kidney beans and green split peas at Philadelphia, Pa.

RESULTS OF INVESTIGATION: The products were involved in two fires at a Philadelphia, Pa., warehouse in 1951, and had been sold to Morris Factor of Philadelphia as salvage goods.

Examination showed that many cans were rusted, pinholed, and had no labels or illegible labels, and that the contents of many of the cans were decomposed or otherwise unfit for food. The dried beans and split peas were insect-infested, and the split peas were also moldy.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of decomposed substances and filthy substances, and were otherwise unfit for food.

Misbranding, Section 403 (e) (1) and (2), Section 403 (g) (2), and Section 403 (i) (1) and (2), the articles, except for the dried beans and split peas, failed to bear proper labels as required by such sections.

The articles were adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: May 6, 1954. Morris Factor, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for segregation and destruction of the unfit portions and for relabeling of the portions which were only misbranded, under the supervision of the Department of Health, Education, and Welfare. 6,343 cases of the products which actually were seized were examined, and 5,857 cases were found unfit and were destroyed; 486 cases were found to be good and were released.

21750. Misbranding of Spudsaver-X. U. S. v. 4 Cases * * *. (F. D. C. No. 36281. Sample No. 65508-L.)

LIBEL FILED: January 8, 1954, District of Minnesota.

ALLEGED SHIPMENT: On or about October 7, 1953, by the Pittsburgh Chemical Laboratory, from Pittsburgh, Pa.

PRODUCT: Four cases, each containing 12 jars, of Spudsaver-X at Minneapolis, Minn. Examination showed that the product contained a substantial amount of sodium bisulfite.

LABEL, IN PART: (Jar) "Spudsaver-X Crystalline—Anti-Oxidant * * * Net Contents—One Pound."

NATURE OF CHARGE: Misbranding, Section 403 (i) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each ingredient.

DISPOSITION: March 8, 1954. A default decree was entered providing for the destruction of the product unless denatured for use as animal feed.

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]

21751-21800

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, and include, where indicated, the results of investigations by the Department, prior to the institution of the proceedings. Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *September 22, 1955.*

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