

**7768. Adulteration and misbranding of sirup. U. S. v. 9 Cases of Sirup. Default decree of condemnation and destruction.** (F. D. C. No. 13081. Sample No. 35283-F.)

**LIBEL FILED:** August 1, 1944, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about April 19, 1944, by Bruno Scheidt, from New York, N. Y.

**PRODUCT:** 9 cases, each containing 24 6-ounce bottles, of sirup at St. Petersburg, Fla.

**LABEL, IN PART:** (Bottles) "Pure Vermont Maple Syrup Sap \* \* \* Tiffany Extract Co. Paterson, N. J."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (1), a valuable constituent, maple sugar or maple sap, had been in whole or in part omitted from the product; and, Section 402 (b) (2), sugar sirup containing more than 35 percent water, and containing little or no true maple sugar or maple sirup, had been substituted for maple sirup, which the product purported and was represented to be.

Misbranding, Section 403 (a), the label statement, "100% Grade A Pure Vermont Maple Syrup Sap," and the design of a maple leaf and maple trees, were false and misleading as applied to a sugar sirup containing more than 35 percent water and little or no true maple sugar or maple sirup; and, Section 403 (i) (2), the product was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient.

**DISPOSITION:** December 4, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**7769. Misbranding of sirup. U. S. v. 120 Cartons of Sirup. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 14667. Sample No. 88381-F.)

**LIBEL FILED:** December 21, 1944, District of New Hampshire.

**ALLEGED SHIPMENT:** On or about October 30, 1944, by Old Chateau Products, Carlisle, Mass.

**PRODUCT:** 120 cartons, each containing 12 1-quart jars, of sirup at Manchester, N. H. Analysis showed that the article was short volume.

**LABEL, IN PART:** (Jars) "Old Chateau 1 Quart."

**VIOLATION CHARGED:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** February 6, 1945. Mildred E. Spooner, trading as Old Chateau Products, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

**7770. Adulteration of cane sugar. U. S. v. 59 Bags of Cane Sugar. Decree of condemnation. Product ordered released under bond.** (F. D. C. No. 14470. Sample No. 89877-F.)

**LIBEL FILED:** November 14, 1944, Northern District of Mississippi.

**ALLEGED SHIPMENT:** On or about October 3, 1944, from Reserve, La.

**PRODUCT:** 59 100-pound bags of cane sugar at Clarksdale, Miss., in the possession of the Planters Wholesale Grocery. The article was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets and urine stains were observed on them. Examination showed that the article was contaminated with rodent urine.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product 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 9, 1945. The Planters Wholesale Grocery having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be refined under the supervision of the Food and Drug Administration.

**7771. Adulteration of powdered sugar. U. S. v. 25 Bags of Powdered Sugar. Default decree of condemnation. Product ordered sold.** (F. D. C. No. 12885. Sample No. 80181-F.)

**LIBEL FILED:** July 6, 1944, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about April 26, 1944, from New Orleans, La.

**PRODUCT:** 25 100-pound bags of powdered sugar at Memphis, Tenn., in the possession of T. C. Collas & Co. This product had been stored under insanitary conditions after shipment. The bags contained rodent excreta and urine stains. Examination showed that the sugar contained rodent hairs.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product 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:** December 29, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, under the direction of the Federal Security Agency, to be denatured so that it could not be used for human consumption. It was sold and satisfactorily denatured.

**7772. Misbranding of Sugarine. U. S. v. 3 Bottles of Sugarine. Default decree of condemnation and destruction.** (F. D. C. No. 13844. Sample No. 73636-F.)

**LIBEL FILED:** October 5, 1944, District of Arizona.

**ALLEGED SHIPMENT:** On or about May 27, 1944, by the Midwest Chemical Co., Mount Vernon, Ill.

**PRODUCT:** 3 1-gallon bottles of Sugarine at Phoenix, Ariz.

**LABEL, IN PART:** (Bottles) "Faulkner's Sugarine A Concentrated Sweetener \* \* \* made with Inverted Sugar, Pure Rock Candy Syrup, Cane Sugar and Saccharine."

**VIOLATION CHARGED:** Misbranding, Section 403 (a), the label statements, "Has No Food Value," and "We claim no food value for Sugarine," were false and misleading as applied to a product containing 50 percent of sugar, which has substantial food value; the label statement, "This product complies fully with the Federal Pure Food Laws," was false and misleading since the product did not comply with the Federal Food, Drug, and Cosmetic Act; the name "Sugarine" was misleading as applied to a product which contained two or more ingredients and was designated by a name which suggested the name of one, i. e., sugar, but not all of the ingredients; and the label statement, "Contains  $\frac{1}{4}$  of 1% Benzoate of Soda," was false and misleading since the product contained 1.1 percent of benzoate of soda.

**DISPOSITION:** November 21, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

## DAIRY PRODUCTS

### BUTTER AND CHEESE

**7773. Adulteration of butter. U. S. v. 32 Cases of Butter (and 4 other seizure actions against butter). Consent decrees of condemnation. Product ordered released under bond.** (F. D. C. Nos. 13130, 13142, 15024 to 15026, incl. Sample Nos. 28886-F, 28889-F, 61925-F, 62006-F, 62037-F to 62039-F, incl.)

**LIBEL FILED:** Between July 10 and November 14, 1944, Eastern District of Louisiana and Southern District of Florida.

**ALLEGED SHIPMENT:** Between the approximate dates of June 8 and November 2, 1944, by the Fairmont Creamery Co., from Lawton and Guthrie, Okla.

**PRODUCT:** 49 cases, each containing 32 pounds, of butter at Jacksonville, Fla., and 272 cases, each containing 32 1-pound prints, of butter at New Orleans, La. Examination of samples showed that the product contained mold.

**LABEL, IN PART:** "Blue Ribbon Brand Butter," "Fairmont's Better Butter," "American Beauty Creamery Butter \* \* \* L. Frank & Co., Inc., New Orleans, La.," or "Silver Brook Brand Butter Distributed by The Great Atlantic and Pacific Tea Company, New York, N. Y."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** Between July 21 and December 13, 1944. The Fairmont Creamery Co., Omaha, Nebr., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond to be converted into refined butter oil, under the supervision of the Food and Drug Administration.