

8102. Adulteration of unroasted coffee. U. S. v. 21 Bags of Unroasted Coffee. Default decree of condemnation and destruction. (F. D. C. No. 15952. Sample No. 13242-H.)

LABEL FILED: April 23, 1945, Southern District of Ohio.

ALLEGED SHIPMENT: On or about March 17, 1945, by the Leon Israel Brothers, Lighterage, N. Y.

PRODUCT: 21 bags of unroasted coffee at Cincinnati, Ohio.

LABEL, IN PART: Santos Cafe Do Brasil Estado DeSa'O Paulo."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and moldy substance by reason of the presence of insect-infested and moldy coffee beans.

DISPOSITION: May 31, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8103. Adulteration and misbranding of fruit-flavored beverage bases. U. S. v. 78 Cases of Beverage Bases. Default decree of condemnation. Products ordered delivered to charitable institutions. (F. D. C. No. 16062. Sample Nos. 26633-H to 26640-H, incl.)

LABEL FILED: On or about May 10, 1945, District of Colorado.

ALLEGED SHIPMENT: On or about November 10, 1944, by Holler's Concentrated Beverages, from Miami, Fla.

PRODUCT: 78 cases, each containing 48 bottles, of beverage bases of various flavors at Denver, Colo. Analysis showed that the grape-, strawberry-, cherry-, loganberry-, raspberry-, and punch-flavored products were artificially flavored and colored solutions of water and acid or acids; and that the orange- and lime-flavored products were artificially colored emulsions of water, acid, sugar, citrus peel oil, brominated vegetable oil, and vegetable gum. A portion of the products also contained phosphoric acid that was not declared on the labels.

LABEL, IN PART: "Holler's Grape [or "Strawberry," "Cherry," "Orange," "Loganberry," "Lime," "Raspberry," or "Punch"] Flavored Concentrate."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (4), artificial coloring, in all instances, and artificial flavoring, in some instances, had been added to the products or mixed or packed with them, so as to make them appear better or of greater value than they were.

Misbranding, Section 403 (a), the designs of fruits on the case labels and the statements on the respective bottle labels, "Grape [or "Strawberry," "Cherry," "Orange," "Loganberry," "Lime," "Raspberry," or "Punch"] Flavored Concentrate," were misleading; and the statement on the bottle labels, "Holler's flavors make delicious Jellies, Jams," was misleading since the products would not make jellies or jams.

Further misbranding, Section 403 (i) (2), the labels on the loganberry- and punch-flavored products failed to bear the common or usual name of each ingredient.

DISPOSITION: On or about August 3, 1945, no claimant having appeared, judgment of condemnation was entered and the products were ordered distributed to charitable institutions.

8104. Adulteration of fruit-flavored sirups. U. S. v. 150 Cases of Raspberry-, Cherry-, and Orange-Flavored Sirups. Default decree of condemnation and destruction. (F. D. C. No. 16442. Sample Nos. 10085-H to 10087-H, incl.)

LABEL FILED: June 16, 1945, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 24, 1945, by the Sol Lenzner Corporation, from Buffalo, N. Y.

PRODUCT: 50 cases each of raspberry-, cherry-, and orange-flavored sirups, each case containing 12 1-pint bottles, at Pittsburgh, Pa. These products contained saccharin in place of some of the sugar which would normally be used.

LABEL, IN PART: "True Fruit and Imitation Raspberry [or "Cherry," or "Orange"] Flavor 32° Baume Cane and Dextrose Syrup."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, sugar, had been in part omitted from the products; Section 402 (b) (2), flavoring sirups containing saccharin had been substituted in whole or in part for flavoring sirups containing cane and dextrose sirup, which the products were represented to be; and, Section 402 (b) (4), saccharin, a substance having no food value, had been added to and mixed and packed with the products so as to reduce their quality or strength.