

**PRODUCT:** 15 100-pound bags of cocoa residue powder at Cincinnati, Ohio. Examination showed that the product was cocoa with a large amount of added cacao bean shell.

**LABEL, IN PART:** (Tag) "From National Food Products Chicago 6, Illinois, \* \* \* Blenco Cocoa Residue Powder."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (4), cacao bean shell had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality or strength.

Misbranding, Section 403 (a), the labeling was misleading as applied to an article which was not cocoa residue powder, but which consisted chiefly of cacao bean shell.

**DISPOSITION:** July 18, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### SIRUPS AND SUGAR

**8170. Adulteration of pancake sirup. U. S. v. 239 Cases of Pancake Sirup. Default decree of condemnation and destruction.** (F. D. C. No. 15956. Sample Nos. 9244-H, 10237-H.)

**LABEL FILED:** April 23, 1945, Western District of New York.

**ALLEGED SHIPMENT:** On or about April 3, 1945, by J. W. Birch and Son, from Washington, Pa.

**PRODUCT:** 239 cases, each containing 24 1-pint bottles, of pancake sirup, at Rochester, N. Y. This product was fermented.

**LABEL, IN PART:** "Ol' South Pancake Syrup."

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

**DISPOSITION:** June 6, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8171. Adulteration and misbranding of pancake sirup. U. S. v. 188 Bottles of Pancake Sirup. Default decree of condemnation. Product ordered delivered to public or charitable institutions.** (F. D. C. No. 16051. Sample No. 11459-H.)

**LABEL FILED:** April 23, 1945, District of Rhode Island.

**ALLEGED SHIPMENT:** On or about January 19, 1945, by the D. A. Perkins Co., from Somerville, Mass.

**PRODUCT:** 188 bottles, each containing 1 pint, and 4 jugs, each containing 1 gallon, of pancake sirup at Woonsocket, R. I. The product was an artificially colored solution with an odor and taste suggesting maple, containing less sugar than is contained in maple sirup or pancake sirup.

**LABEL, IN PART:** "Pancake Syrup Made From Pure Cane Syrup Pure Maple Flavor Water & Caramel Color."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (1), a valuable constituent, sugar, had been in part omitted from the article. Misbranding, Section 403 (c), the article was an imitation of another food, maple sirup, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated.

**DISPOSITION:** June 1, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to public or charitable institutions.

**8172. Adulteration and misbranding of sorghum sirup. U. S. v. 244 Cases of Sorghum Sirup. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 15949. Sample No. 31055-H.)

**LABEL FILED:** April 19, 1945, Southern District of California.

**ALLEGED SHIPMENT:** On or about March 21, 1945, by Curtis J. Prock, from Eloy, Ariz.

**PRODUCT:** 244 cases, each containing 6 1-quart, 1-pint jars, of sorghum sirup at Los Angeles, Calif.

**LABEL, IN PART:** "Home Made Sorghum Made by H. L. Miller Coffeeville, Mississippi."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), a mixture of corn sirup, sugar, or partially refined sugar, and water had been substituted in whole or in part for sorghum, which the article was represented to be. Misbranding, Section 403 (a), the label statement "Sorghum" was false and misleading as applied to the article.

**DISPOSITION:** May 2, 1945. Curtis J. Prock, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

**S173. Misbranding of sirup. U. S. v. 479 Cases and 99 Cases of Sirup. Consent decrees of condemnation. Product ordered released under bond.** (F. D. C. Nos. 15904, 15905. Sample Nos. 29225-H, 29227-H.)

**LIBEL FILED:** April 14, 1945, Southern District of California.

**ALLEGED SHIPMENT:** On or about February 14, 1945, by S. L. Myrick, from Jefferson and Winnsboro, Tex.

**PRODUCT:** 479 cases, each containing 6 jars, and 99 cases, each containing 12 jars, of sirup, at Bakersfield and Shafter, Calif. The product was found to be short of the declared volume.

**LABEL, IN PART:** "East Texas Home Made Sugar Cane Syrup and Corn Syrup Blend [some jars, "1 Quart, 1 Pint, 8½ Fluid Ounces," others "1 Quart, 1 Pint, 10½ Fluid Ounces"]," or "New Crop East Texas Ribbon Cane Syrup Blended with Corn Syrup, Net Contents 1 Pint 8 Ounces." In the latter label, the words "Ribbon Cane Syrup" were in large, conspicuous type and the words "Blended with Corn Syrup" were in small, inconspicuous type.

**VIOLATIONS CHARGED:** Misbranding, Section 403 (e), the article failed to bear a label containing an accurate statement of the quantity of its contents; and, Section 403 (a), the prominent statement, "Ribbon Cane Syrup," on the label of a portion of the article, was false and misleading since the statement, "Blended with Corn Syrup," did not effectively advise prospective purchasers that the article was other than cane sirup.

**DISPOSITION:** May 15, 1945. S. L. Myrick, claimant, having admitted the material allegations of the libel, judgments of condemnation were entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**S174. Adulteration of corn sirup solids. U. S. v. 442 Bags of Corn Sirup Solids. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 16787. Sample No. 23016-H.)

**LIBEL FILED:** July 5, 1945, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about January 5 and 29 and March 17, 1945, from Chicago, Ill.

**PRODUCT:** 442 bags of corn sirup solids at Memphis, Tenn., in the possession of the Tennessee Warehouse Co. The product was stored under insanitary conditions after shipment. Some bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent hairs.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the article 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:** August 4, 1945. The Mid West Dairy Products Corporation, DuQuoin, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and converted into stock feed or destroyed, under the supervision of the Federal Security Agency.

**S175. Adulteration of sugar. U. S. v. 95 Bags of Sugar. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 16235. Sample No. 765-H.)

**LIBEL FILED:** May 24, 1945, Middle District of Georgia; libel amended May 28, 1945.

**ALLEGED SHIPMENT:** On or about January 10, 1945, from Tampa, Fla.

**PRODUCT:** 95 100-pound bags of sugar at Columbus, Ga., in the possession of the Muscogee Wholesale Grocers, Inc. The product 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 product 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