

*** NATURE OF CHARGE:** Adulteration, Section 402(a)(2), the product contained an added poisonous or deleterious substance, fluorine, which was unsafe within the meaning of the law since it was a substance which was not required in the production of the product and which could have been avoided by good manufacturing practice.

DISPOSITION: April 30 and May 9, 1945. The Schafer Distributing Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond, conditioned upon the destruction of the beer and ale and the salvage of the bottles and cases.

9002. Misbranding of Effect-O (beverage stabilizer). U. S. v. 17 Bottles and 8 Jars of Effect-O. Default decrees of condemnation and destruction. (F. D. C. Nos. 15932, 16021. Sample Nos. 22034-H, 22465-H.)

LIBELS FILED: April 21 and May 10, 1945, Eastern District of Missouri and Southern District of Illinois.

ALLEGED SHIPMENT: On or about November 13, 1944, and March 12, 1945, by the Chandler Laboratories, from Philadelphia, Pa.

PRODUCT: 17 1-gallon bottles of Effect-O at St. Louis, Mo., and 8 1-gallon jars of Effect-O at Springfield, Ill. Analysis showed that the product was a water solution containing about 14 grams of monochloroacetic acid per 100 cc.

LABEL, IN PART: "Effect-O * * * The Perfect Stabilizer for all Beverages."

NATURE OF CHARGE: Misbranding, Section 403(a), the labeling was misleading in that the label statements, "The Perfect Stabilizer for all Beverages Eliminates the Use of Preservatives Use ½ Oz. to each Gallon of Bottling Syrup," created the impression that the article was wholesome and suitable for use as a component of all beverages used by man; and the labeling failed to reveal the material fact that monochloroacetic acid is a poisonous and deleterious substance which rendered the article itself poisonous, deleterious, unwholesome, and unsuitable for use as a component of beverages for human consumption.

DISPOSITION: May 18 and June 5, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

9003. Misbranding of Effect-O. U. S. v. 5 Bottles of Effect-O. Default decree of condemnation and destruction. (F. D. C. No. 16019. Sample No. 28821-H.)

LIBEL FILED: June 14, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about February 17, 1945, by the Anchor Storage Co., from Proviso, Ill.

PRODUCT: 5 1-gallon bottles of Effect-O at Seattle, Wash. Analysis showed that the product was a water solution containing about 13 percent of monochloroacetic acid.

LABEL, IN PART: "Effect-O * * * The Perfect Stabilizer for all Beverages" * * * Chandler Laboratories, Philadelphia, Pa."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label was misleading in that the statements, "The Perfect Stabilizer For All Beverages Eliminates the Use of Preservatives Use ½ oz. to each Gallon of Bottling Syrup," created the impression that the article was wholesome and suitable for use as a component of all beverages used by man; and the labeling failed to reveal the material fact that monochloroacetic acid is a poisonous and deleterious substance which rendered the article unwholesome and unsuitable for use as a component of beverages used by man.

DISPOSITION: March 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9004. Misbranding of coffee. U. S. v. Sam Kobrick (Kobrick's). Plea of guilty. Fine, \$100. (F. D. C. No. 10554. Sample Nos. 44512-F, 44515-F.)

INFORMATION FILED: January 17, 1946, Southern District of New York, against Sam Kobrick, trading as Kobrick's, at New York, N. Y.

ALLEGED SHIPMENT: On or about March 13 and 23, 1943, from the State of New York into the State of New Jersey.