

*** 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.

PRODUCT: This product was ground coffee containing in one shipment an estimated 5 to 10 percent of cereal, probably wheat, and in the other shipment an estimated 5 percent of a cereal and an estimated 5 percent of chicory.

NATURE OF CHARGE: Misbranding, Section 403(e) (1), the article did not bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403(e) (2), the article did not bear a label containing a statement of the quantity of the contents; and, Section 403(i) (2), the label of the article failed to bear the common or usual name of each ingredient.

DISPOSITION: February 5, 1946. A plea of guilty having been entered, the court imposed a fine of \$50 on each of 2 counts.

9005. Adulteration of grapefruit juice. U. S. v. 2,719 Cases of Grapefruit Juice. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15992. Sample Nos. 18238-H, 18239-H.)

LIBEL FILED: May 9, 1945, District of Minnesota.

ALLEGED SHIPMENT: March 18 and 20, 1945, by the Christensen Products Co., from Weslaco, Tex.

PRODUCT: Unsweetened grapefruit juice. 1,323 cases, each containing 12 1-quart, 14-ounce cans, and 1,396 cases, each containing 6 3-quart cans, at St. Paul, Minn.

LABEL, IN PART: "Home Brand * * * Unsweetened Grapefruit Juice."

NATURE OF CHARGE: Adulteration, Section 402(a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of maggots, fly eggs, and fly fragments; and, Section 402(a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 17, 1945. Griggs, Cooper and Co., St. Paul, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the segregation and salvage of the good portion, under the supervision of the Federal Security Agency.

9006. Adulteration and misbranding of grape sugar. U. S. v. 350 Packages of Grape Sugar. Default decree of condemnation and destruction. (F. D. C. No. 15758. Sample No. 607-H.)

LIBEL FILED: March 30, 1945, Western District of South Carolina; amended libel filed May 7, 1945.

ALLEGED SHIPMENT: On or about June 22, 1944, by Grapesugar, Ltd., from Burbank, Calif.

PRODUCT: 350 ¼-pound packages of grape sugar, at Greenville, S. C.

LABEL, IN PART: "Grapesugar [design of fruits] * * * This package will ferment, color and flavor two gallons of fresh fruit juice, dried fruit juice or other sweet liquids. The result is a beverage of 12 to 14 percent alcoholic content with a sparkling clear wine color and excellent flavor. Port (Sherry, Sauterne or Burgundy) Imitation Flavor."

NATURE OF CHARGE: Adulteration, Section 402(b) (2), artificially colored and flavored corn meal, containing small amounts of dextrose and yeast, had been substituted in whole or in part for grape sugar flavored with various wine flavors.

Misbranding, Section 403(a), the design of fruits and the name "Grapesugar Port (Sherry, Sauterne or Burgundy)" were false and misleading as applied to artificially colored and flavored corn meal containing small amounts of dextrose and yeast.

DISPOSITION: June 19, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9007. Adulteration of orange-flavored sirup. U. S. v. Orange Products Corporation. Plea of guilty. Fine, \$500 and costs. (F. D. C. No. 12526. Sample No. 48661-F.)

INFORMATION FILED: June 13, 1945, Northern District of Illinois, against the Orange Products Corporation, Chicago, Ill.