

11502. Adulteration of beer. U. S. v. 1,703 Cases * * *. (F. D. C. No. 20865. Sample No. 38888-H.)

LIBEL FILED: October 18, 1946, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about September 28, 1946, by the Van & Banister Co., from Monroe, La. This was a return shipment.

PRODUCT: 1,703 cases, each containing 24 12-ounce bottles, of beer at Watertown, Wis., in possession of the Hartig Co.

LABEL, IN PART: "Wisconsin Premium Beer Bottled by the Hartig Company, Watertown, Wis."

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the article contained an added poisonous and deleterious substance, monochloroacetic acid, which is unsafe within the meaning of the law since it is a substance not required in the production of the article and could have been avoided by good manufacturing practice; and, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: October 29, 1946. The Hartig Co. having appeared as claimant and having admitted the facts of the libel, judgment of forfeiture was entered and the product was ordered destroyed.

11503. Adulteration of beverages. U. S. v. 7 Cases, etc. (F. D. C. No. 20824. Sample Nos. 67320-H, 67321-H.)

LIBEL FILED: August 29, 1946, District of Kansas.

ALLEGED SHIPMENT: On or about July 27 and 30, 1946, by the Nesbitt Bottling Co., from Kansas City, Mo.

PRODUCT: 7 cases, each containing 15 bottles, of a strawberry beverage and 19 cases, each containing 15 bottles, of a cola beverage at Kansas City, Kans.

LABEL, IN PART: "Big Red Strawberry Artificial Color & Flavor," or "Double Cola."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, sugar, had been in part omitted from the articles; and, Section 402 (b) (4), a substance, saccharin, having no food value had been added to, and mixed and packed with, the articles so as to reduce their quality or strength.

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

11504. Adulteration of root beer sirup. U. S. v. 20 Cases * * *. (F. D. C. No. 21195. Sample Nos. 15400-H, 53072-H.)

LIBEL FILED: On or about October 30, 1946, Northern District of Illinois.

ALLEGED SHIPMENT: On or about August 29, 1946, by J. F. McKillip, from Sandusky, Ohio.

PRODUCT: 20 cases, each containing 4 1-gallon jugs, of root beer sirup at Chicago, Ill.

LABEL, IN PART: "True Extract Flavored Frank's Genuine Root Beer Fountain Syrup * * * Prepared for Joseph Archer & Son."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product sweetened in part with a nonnutritive ingredient, saccharin, had been substituted in whole or in part for root beer sirup containing sugar.

DISPOSITION: January 22, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11505. Adulteration of fountain sirups. U. S. v. 78 Cases, etc. (F. D. C. No. 21025. Sample Nos. 63455-H to 63459-H, incl.)

LIBEL FILED: On or about September 25, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about July 25 and 29, 1946, by the Myer Concentrate and Flavor Co., from Bronx, N. Y.

PRODUCT: 78 cases, each containing 4 1-gallon jugs, of fountain sirups and 1 50-gallon drum of fountain sirup at Long Branch, N. J.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of dirt; Section 402 (b) (2), fountain sirups containing saccharin had been substituted for fountain sirups containing sugar, which the products were represented to

be; and, Section 402 (b) (4) saccharin, having no food value, had been added to the article and mixed and packed with it so as to reduce its quality or strength.

DISPOSITION: January 27, 1947. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

11506. Adulteration of imitation fruit sirup. U. S. v. 41 Cases, etc. (F. D. C. No. 20799. Sample Nos. 56752-H, 56753-H.)

LIBEL FILED: September 12, 1946, District of Massachusetts.

ALLEGED SHIPMENT: On or about June 12, 18, and 25, 1945, by the Atlantic Food Packing Co., from Trenton, N. J.

PRODUCT: 102 cases, each containing 24 1-pint bottles, of imitation fruit sirup at Worcester, Mass. Examination showed that the product was fermented.

LABEL, IN PART: "Imitation Punch [or "Strawberry"] Frute-Ade Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: October 21, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11507. Adulteration and misbranding of raspberry sirup. U. S. v. 130 Cases
* * *. (F. D. C. No. 20775. Sample No. 65356-H.)

LIBEL FILED: August 30, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 25 and May 3, 1946, by Silver Hill Products, Inc., from Brooklyn, N. Y.

PRODUCT: 130 cases, each containing 24 1-pint jars, of raspberry sirup at Philadelphia, Pa. The product was a mixture of water, sugar or sugars, and raspberry juice, preserved with benzoate of soda. In addition, it was short-volume.

LABEL, IN PART: "Contents 1 Pint Dutchess Natural Fruit Raspberry Syrup
* * * Ingredients: Cane Sugar, Raspberries, Raspberry Juice."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of water, sugar or sugars, and raspberry juice, preserved with benzoate of soda, had been substituted for "Natural Fruit Raspberry Syrup," a sirup made from raspberries and sugar.

Misbranding, Section 403 (e) (2), the article failed to bear labeling containing an accurate statement of the quantity of the contents since the label statement "Contents 1 Pint" was inaccurate; Section 403 (i) (2), the label of the article failed to bear the common or usual name of each of its ingredients, since water and benzoate of soda were not declared; and, Section 403 (k), the article contained benzoate of soda, a chemical preservative, and failed to bear labeling stating that fact.

DISPOSITION: September 30, 1946. Silver Hill Products, Inc., Brooklyn, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

11508. Adulteration of orange concentrate. U. S. v. 77 Cases, etc. (F. D. C. No. 20832. Sample Nos. 63446-H, 63447-H.)

LIBEL FILED: September 3, 1946, Southern District of Ohio.

ALLEGED SHIPMENT: On or about August 16, 1946, by the El Sparr Springs Beverage Co., from Woodbridge, N. J.

PRODUCT: 77 cases, each containing 4 1-gallon jugs, and 8 50-gallon barrels of orange concentrate at Cincinnati, Ohio.

LABEL, IN PART: "Sunee-Orange Concentrate," or "Sun-Y-Juice Concentrate."

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

DISPOSITION: October 2, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.