SIRUP

12466. Adulteration and misbranding of sirup. U. S. v. Harry Axt. Plea of nolo contendere. Defendant sentenced to 30 days in jail and placed on probation for 2 years. (F. D. C. No. 21468. Sample Nos. 63334–H, 63340–H, 63881–H.)

INFORMATION FILED: March 28, 1947, District of New Jersey, against Harry Axt, trading at Newark, N. J.

ALLEGED SHIPMENT: Between the approximate dates of April 22 and May 29, 1946, from the State of New Jersey into the State of New York.

LABEL, IN PART: "Vermont Maple Syrup Pure Exclusive Distributors Burlington, Vt. St. Johns Boro."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), artificially flavored sugar sirup containing little, if any, maple sirup had been substituted for maple sirup.

Misbranding, Section 403 (a), the label statement "Vermont Maple Syrup Pure" was false and misleading.

DISPOSITION: June 27, 1947. A plea of nolo contendere having been entered, the defendant was sentenced to 30 days in jail, to run concurrently, on each of 5 counts. Imposition of sentence on the sixth count was suspended, and the defendant was placed on 2 years' probation.

12467. Adulteration and misbranding of sirup. U. S. v. Zall & Levinson, a partnership, and Theodore Zall, Ralph Levinson, and Philip Levinson. Pleas of nolo contendere by individual defendants. Theodore Zall sentenced to 3 months' imprisonment; Ralph Levinson, 30 days' imprisonment; and Philip Levinson, 30 days' imprisonment, which was suspended. Individual defendants placed on 3 years' probation; imposition of sentence suspended with respect to partnership. (F. D. C. No. 21537. Sample Nos. 8492–H, 8497–H, 15833–H, 42846–H, 53023–H, 59883–H.)

INFORMATION FILED: February 11, 1947, District of New Jersey, against Zall & Levinson, Newark, N. J., Theodore Zall and Ralph Levinson, partners, and Philip Levinson, an employee of the partnership.

ALLEGED SHIPMENT: Between the approximate dates of May 9 and June 1, 1946, from the State of New Jersey into the States of Connecticut, Ohio, Virginia, and Michigan.

LABEL, IN PART: "Vermont Maple Syrup Pure Exclusive Distributors Burlington, Vt. St. Johns Boro."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), artificially flavored sugar sirup containing little, if any, maple sirup had been substituted for maple sirup.

Misbranding, Section 403 (a), the label statement "Vermont Maple Syrup Pure" was false and misleading.

DISPOSITION: June 27, 1947. Pleas of nolo contendere having been entered by the individuals, the court sentenced Theodore Zall to 3 months in jail and Ralph Levinson to 30 days in jail on each of counts 1 to 11, inclusive, the sentences to run concurrently. Imposition of sentence was suspended with respect to these defendants on count 12. Philip Levinson was sentenced to 30 days in jail on all counts, which sentence was suspended. The individuals were placed on 3 years' probation, and imposition of sentence with respect to the partnership was suspended.

12468. Adulteration and misbranding of pancake sirup and misbranding of chocolate-flavored sirup. U. S. v. 10 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 23010, 23016. Sample Nos. 30472–H, 30473–H.)

LIBELS FILED: April 29 and May 7, 1947, District of Utah.

ALLEGED SHIPMENT: On or about November 12 and December 20, 1946, by Silver Hill Products, Inc., from Jersey City, N. J.

PRODUCT: 10 cases, each containing 6 cans, of pancake sirup and 46 cases, each containing 6 cans, of chocolate-flavored sirup at Salt Lake City, Utah.

LABEL, IN PART: "Maple Flavored Pancake Syrup * * * 96 Fluid Oz.," or "Van Delft's Double Strength Chocolate Flavored Syrup Net Weight 96 Fluid Ounces."

NATURE OF CHARGE: Pancake sirup. Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of