

13198. Adulteration and misbranding of Elemin tablets. U. S. v. 4 Cases * * *.
(F. D. C. No. 24764. Sample No. 30103-K.)

LIBEL FILED: May 11, 1948, District of Arizona.

ALLEGED SHIPMENT: On or about March 25, 1948, by Wilson & Dumont, from Los Angeles, Calif.

PRODUCT: 4 cases, each containing 12 700-tablet bottles, of Elemin at Phoenix, Ariz.

LABEL, IN PART: "Elemin as a source of Minerals Iron and Iodine Net Contents 700 Tablets * * * Four tablets per day will provide: Iodine—Not less than 0.5 milligrams * * * Iron—Not less than 40.0 milligrams."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, iron and iodine, had been omitted.

Misbranding, Section 403 (a), the label statements "Four tablets per day will provide: Iodine—Not less than 0.5 milligrams * * * Iron—Not less than 40.0 milligrams" were false and misleading. (Examination showed that 4 tablets contained an average of 0.28 milligrams of iodine and 32.6 milligrams of iron.)

DISPOSITION: June 23, 1948. Default decree of condemnation and destruction.

MISCELLANEOUS FOODS

13199. Adulteration of sundae topping and misbranding of beverage sirups. U. S. v. Howard's, Inc. (Howard's Syrups Co.). Plea of guilty. Fine, \$600. (F. D. C. No. 24065. Sample Nos. 54700-H, 55301-H, 55303-H, 55304-H.)

INFORMATION FILED: January 16, 1948, Southern District of Florida, against Howard's, Inc. trading as Howard's Syrups Co., Miami, Fla.

ALLEGED SHIPMENT: On or about September 12, 1946, from the State of Florida into the State of Georgia.

LABEL, IN PART: "Howard's Beverage Syrup * * * Flavored Syrup Wild Cherry [or "Strawberry," "Pineapple," or "Chop Suey Topping"]."

NATURE OF CHARGE: Chop Suey Topping. Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of larvae and insect fragments.

Beverage sirups. Misbranding, Section 403 (a), the label statements, "Flavored Syrup Wild Cherry [or "Strawberry," or "Pineapple"]," were false and misleading. These statements represented and suggested that the articles were sirups flavored with wild cherry, strawberry, or pineapple, whereas they were acidulated and artificially flavored and colored sugar solutions. Further misbranding, Section 403 (c), the products were imitation wild cherry, strawberry, and pineapple-flavored sirups, respectively, and their labels failed to bear in type of uniform size and prominence, the word imitation and immediately thereafter the name of the food imitated.

DISPOSITION: January 23, 1946. A plea of guilty having been entered on behalf of the defendant, a fine of \$600 was imposed.

13200. Adulteration of beef soup base. U. S. v. 8 Cases. * * * (and 1 other seizure action). (F. D. C. Nos. 24701, 24702. Sample Nos. 12329-K, 12330-K.)

LIBELS FILED: April 1, 1948, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 5, 1948, by Empire Dehydrated Products, Inc., from Brooklyn, N. Y.

PRODUCT: Beef soup base. 8 cases, each containing 12 12-ounce jars, and 21 cases, each containing 12 16-ounce jars, at Philadelphia, Pa.

LABEL, IN PART: "Luda Brand Beef Soup Base," or "Sexton Superb Beef Soup Base."

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

DISPOSITION: June 28, 1948. Default decrees of condemnation and destruction.