

3505. Misbranding of Sepco. U. S. v. Sethness Products Co. and Charles H. Sethness, Jr. Pleas of guilty. Fine, \$500 and costs. (F. D. C. No. 24228. Sample Nos. 14063-H, 23656-H, 38161-H, 48950-H, 49716-H, 56385-H.)

INFORMATION FILED: April 2, 1948, Northern District of Illinois, against the Sethness Products Co., a corporation, Chicago, Ill., and Charles H. Sethness, Jr., president.

ALLEGED SHIPMENT: Between the approximate dates of October 30, 1945, and May 13, 1946, from the State of Illinois into the States of Indiana, Texas, Wisconsin, Alabama, and Oklahoma.

LABEL, IN PART: "Sepco A Tasteless Fermentation Inhibitor."

NATURE OF CHARGE: Misbranding, Section 403 (a), the labeling of the article was misleading since the label statement "Sepco A Tasteless Fermentation Inhibitor" coupled with the following directions for use appearing variously on the labels, i. e., "Directions * * * add one fluid ounce to each 125 pounds of finished product," "Directions * * * add 1/2 fluid ounce to each gallon of bottling syrup or each 6 gallons of finished drink," or "Directions: Use One Oz. To 100 Lbs.," represented to purchasers that the article was wholesome and suitable for use as a component of foods for man, whereas the article contained quarternary ammonium chloride, a poisonous and deleterious substance, and the label failed to reveal the material fact in the light of the aforesaid representations on the label, that the article contained a poisonous and deleterious substance.

DISPOSITION: June 28, 1948. Pleas of guilty having been entered on behalf of the defendants, a fine of \$500 was imposed, together with costs. Payment by either defendant would satisfy payment of the fine in full.

13506. Adulteration and misbranding of beverage base. U. S. v. 60 Gallons * * *. (F. D. C. No. 23355. Sample No. 77817-H.)

LABEL FILED: July 11, 1947, Eastern District of Washington.

ALLEGED SHIPMENT: On or about June 6, 1947, by the Sun-Dale Corp., from Denver, Colo.

PRODUCT: 60 gallons of grape beverage base at Spokane, Wash.

LABEL, IN PART: "Grape Contains Water, True-Fruit Grape Extract, Lemon Juice, Citric Acid, Citrus Oils, Sugar, Artificial Color and Flavor, 0.1% Sodium Benzoate."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, grape juice, true fruit grape extract, and lemon juice had been omitted in whole or in part; and, Section 402 (b) (4), artificial flavoring and artificial coloring had been added to the article and mixed and packed with it so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (a), the label designation "Grape" and the statement "Contains * * * True-Fruit Grape Extract" were false and misleading as applied to the product, which was an acidulated, artificially flavored and colored solution of sugar or sugars, containing none or an insignificant amount of grape juice or true fruit grape extract.

DISPOSITION: September 2, 1947. Default decree of condemnation and destruction.

13507. Adulteration of soda pop. U. S. v. Coca-Cola Bottling Company of Shamrock. Pleas of guilty. Fine, \$150. (F. D. C. No. 23231. Sample Nos. 72579-H to 72581-H, incl.)

INFORMATION FILED: September 6, 1947, Northern District of Texas, against the Coca-Cola Bottling Co. of Shamrock, a partnership, Shamrock, Tex.

ALLEGED SHIPMENT: On or about November 21, 1946, from the State of Texas into the State of Oklahoma.

LABEL, IN PART: "Orange-Crush Soda," "Imitation Strawberry Soda," or "2 Way."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, sugar, had been omitted; Section 402 (b) (2), a beverage sweetened in part with saccharin had been substituted for a beverage sweetened with sugar; and, Section 402 (b) (4), saccharin had been added to the food and mixed with it so as to reduce its quality.