

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements "Pure Fruit Coloring" and "Pure Fruit Flavoring" were false and misleading since the product contained artificial color and flavor; Section 403 (d), the container was so made, formed, and filled as to be misleading since it was too large for the amount of candy contained therein; Section 403 (e) (1), the product was in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, since the label bore only an address and failed to reveal that it was the address of the distributor; Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents; Section 403 (i) (2), the product was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient since the product contained more than sugar, corn sirup, flavor, and color; and, Section 403 (k), the product bore artificial flavoring and coloring and failed to bear labeling stating that fact.

DISPOSITION: July 25, 1949. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

15162. Adulteration of sugar. U. S. v. 685 Bags * * *. (F. D. C. No. 25511. Sample No. 31266-K.)

LIBEL FILED: August 30, 1948, District of Arizona.

ALLEGED SHIPMENT: On or about May 27, 1948, from Oxnard, Calif.

PRODUCT: 685 100-pound bags of sugar at Phoenix, Ariz., in possession of Sloan's Transfer & Storage Co.

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 rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 29, 1949. The American Crystal Sugar Co., Oxnard, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. Accordingly, the product was satisfactorily refined.

15163. Adulteration of sugar. U. S. v. 619 Bags * * *. (F. D. C. No. 27086. Sample No. 40794-K.)

LIBEL FILED: May 3, 1949, Western District of Washington.

ALLEGED SHIPMENT: On or about June 24, 1947, from San Francisco, Calif.

PRODUCT: 619 bags, each containing 20 5-pound sacks, of sugar at Seattle, Wash., in possession of the Utley Warehouse Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs and rodent urine; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 26, 1949. The Spreckels Sugar Co., San Francisco, Calif., claimant, having consented to the entry of a decree, judgment of condemna-