

17304. Adulteration of chocolate-covered cherries. U. S. v. 20 Cartons * * *.
(F. D. C. No. 30675. Sample No. 20764-L.)

LIBEL FILED: February 27, 1951, Northern District of Alabama.

ALLEGED SHIPMENT: On or about January 18, 1951, by the Lee Chocolate Co., from Atlanta, Ga.

PRODUCT: 20 cartons, each containing 24 1½-ounce packages, of chocolate-covered cherries at Birmingham, Ala.

LABEL, IN PART: "Lee of Atlanta, Ga. * * * Chocolate Covered Cherries."

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 hair fragments and insect fragments; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 28, 1951. Default decree of condemnation and destruction.

SIRUP

17305. Adulteration and misbranding of sorghum sirup. U. S. v. 118 Cases * * *. (F. D. C. No. 30478. Sample No. 84891-K.)

LIBEL FILED: January 12, 1951, Southern District of Indiana.

ALLEGED SHIPMENT: On or about November 16 and December 19, 1950, by C. H. Owen, from Joplin, Mo.

PRODUCT: 118 cases, each containing 12 ½-gallon cans, of sorghum sirup at Evansville, Ind. A portion of the cans were labeled, and others were unlabeled. Examination showed that the product was a mixture of sorghum, glucose, and sugar.

LABEL, IN PART: (Portion) "Sorghum Made of Cane Products."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), (labeled cans) a mixture of sorghum, glucose, and sugar had been substituted in whole or in part for sorghum sirup.

Misbranding, Section 403 (a), (labeled cans) the label designation "Sorghum Made of Cane Products" was false and misleading as applied to an article which was a mixture of sorghum, glucose, and sugar. Further misbranding, Sections 403 (e) (1) and (2), (unlabeled cans) the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (2), the article was fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each such ingredient.

DISPOSITION: March 21, 1951. Federal Produce Co., Inc., Evansville, Ind., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Food and Drug Administration.

17306. Adulteration and misbranding of sorghum sirup. U. S. v. 33 Cases, etc. (F. D. C. No. 30498. Sample No. 15951-L.)

LIBEL FILED: January 26, 1951, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about December 1, 1950, from Jefferson, Tex.
PRODUCT: Sorghum sirup. 33 cases, each containing 12 64-ounce bottles, and 10 cases, each containing 6 8-pound bottles, at Oklahoma City, Okla.
LABEL, IN PART: "Sorghum Made of Cane Products."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), corn sirup and sorghum sirup had been substituted for sorghum sirup.

Misbranding, Section 403 (a), the label statement "Sorghum" was false and misleading as applied to an article containing corn sirup; and, Section 403 (b), the product was offered for sale under the name of another food, namely, sorghum sirup.

The product was adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: February 8, 1951. Clyde J. Gentry, Jefferson, Tex., 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 for relabeling, under the supervision of the Food and Drug Administration.

17307. Adulteration and misbranding of sorghum sirup. U. S. v. 4 Cases * * *
(and 1 other seizure action). (F. D. C. Nos. 30513, 30557. Sample Nos. 15961-L, 15962-L.)

LIBELS FILED: February 3 and 16, 1951, Eastern District of Oklahoma.

ALLEGED SHIPMENT: On or about November 18 and 20, 1950, by L. T. Thompson and Clyde J. Gentry, from Jefferson, Tex.

PRODUCT: Sorghum sirup. 4 cases, each containing 12 64-ounce cans, and 5 cases, each containing 12 4-pound cans, at Ada, Okla.

LABEL, IN PART: "Sorghum Made of Cane Products."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), sucrose (sugar) and glucose (corn sugar) had been substituted in whole or in part for sorghum sirup.

Misbranding, Section 403 (a), the label statement "Sorghum" was false and misleading as applied to an article that was not sorghum sirup; and, Section 403 (b), the article was offered for sale under the name of another food.

DISPOSITION: February 13 and May 28, 1951. Default decrees of condemnation and destruction.

17308. Adulteration and misbranding of sorghum sirup. U. S. v. 55 Tins * * *
(F. D. C. No. 30514. Sample No. 15960-L.)

LIBEL FILED: January 31, 1951, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about January 2, 1951, from Jefferson, Tex.

PRODUCT: 55 64-ounce tins of sorghum sirup at Shawnee, Okla.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an article containing sucrose and glucose had been substituted in whole or in part for sorghum sirup.

Misbranding, Section 403 (a), the label statement "Sorghum" was false and misleading as applied to an article that was not sorghum sirup; and, Section 403 (b), the product was offered for sale under the name of another food, namely, "Sorghum."

The product was adulterated and misbranded while held for sale after shipment in interstate commerce.