

INFORMATION FILED: 9-11-58, E. Dist. Tex., against John H. McVay, Sulphur Springs, Tex.

LABEL IN PART: (Jar) "PURE SORGHUM MOLASSES Net Contents 2 Lbs. Made and Sold by JOHN H. McVAY" or "PURE RIBBON CANE SYRUP Sold by JOHN H. McVAY \* \* \* Approximately 2 Lbs."

ALLEGED VIOLATION: On 11-8-57, while a number of unlabeled jars of molasses and sirup were being held for sale after shipment in interstate commerce, the defendant caused the above labels to be affixed to the jars, which acts resulted in the molasses and the sirup becoming adulterated and misbranded.

CHARGE: 402(b)(2)—a mixture of sorghum and partially inverted sugar sirup had been substituted for the articles while held for sale; 403(a)—the label statements "Pure Sorghum Molasses" and "Pure Ribbon Cane Syrup" were false and misleading; 403(b)—the articles were offered for sale under the name of another food; and 403(i)(2)—the labels failed to bear the common or usual name of each ingredient of the articles.

PLEA: Guilty.

DISPOSITION: 9-15-58. Fine of \$100.

**25874. Sorghum sirup.** (F.D.C. No. 42973. S. No. 27-644 P.)

QUANTITY: 15 cases, 12 cans each, at Red Oak, Iowa.

SHIPPED: 10-11-58, from Rudy, Ark., by Ray Sloan.

LABEL IN PART: (Can) "Pure Country Sorghum \* \* \* Weight 4½ Lbs. or More Made For Ray Sloan, Distr., Rudy, Arkansas," or "Country Sorghum Made From Cane \* \* \* Made For C. Owen, Galena, Kansas, General Delivery, Net Weight 4½ Lbs."

LIBELED: 4-9-59, S. Dist. Iowa.

CHARGE: 402(b)(2)—when shipped, invert sugar sirup had been substituted in whole or in part for sorghum sirup; and 403(a)—the label statements "Pure Country Sorghum" or "Country Sorghum Made From Cane" were false and misleading.

DISPOSITION: 5-11-59. Default—delivered to a public institution for its use and not for sale.

## DAIRY PRODUCTS

### BUTTER

**25875. Butter.** (F.D.C. No. 43502. S. Nos. 62-838/9 P.)

QUANTITY: 81 64-lb. cubes, 1 33-lb. cube, and 1 64½-lb cube, at Chicago, Ill.

SHIPPED: Cream was shipped between 8-27-59 and 9-1-59, from Wisconsin, Indiana, Missouri, Kentucky, Arkansas, and Iowa, by various shippers.

RESULTS OF INVESTIGATION: Examination showed that decomposed cream was used in the manufacture of butter.

LIBELED: 9-22-59, N. Dist. Ill.

CHARGE: 402(a)(3)—contained a decomposed substance when shipped.

DISPOSITION: 10-6-59. Consent—claimed by Ernster Bros., Chicago, Ill., and converted into butter oil.