

**10619. Misbranding of mayonnaise dressing and Russian dressing. U. S. \* \* \* v. 17 Cases of Mayonnaise and 6 Cases of Russian Dressing. Consent decree of condemnation and forfeiture. Products released under bond. (F. & D. No. 16374. I. S. Nos. 9504-t, 9505-t. S. No. E-3892.)**

On June 3, 1922, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 cases of mayonnaise dressing and 6 cases of Russian dressing, remaining in the original unbroken packages at Atlanta, Ga., alleging that the articles had been shipped by the Duke Mayonnaise Co., Greenville, S. C., on or about May 16 and April 20, 1922, respectively, and transported from the State of South Carolina into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part, respectively: "Duke's Home Made Mayonnaise \* \* \* Duke Mayonnaise Co. Greenville, S. C. Net Weight 8 Ozs."; "\* \* \* Russian Dressing \* \* \* Duke Mayonnaise Co. Greenville, S. C. Net Weight 8 Oz."

Misbranding of the articles was alleged in substance in the libel for the reason that the statement borne on the label on the packages containing the said articles, regarding the contents of the said packages, to wit, "Net weight 8 Ozs.," was false and misleading and deceived and misled the purchaser into the belief that each of the said packages contained 8 ounces net of the said articles, whereas, in truth and in fact, the said packages did not each contain 8 ounces net of the said articles but did contain a materially less quantity than 8 ounces. Misbranding was alleged for the further reason that the articles were [food] in package form, and the quantity of the contents thereof was not plainly and conspicuously [marked] on the outside of the said packages.

On June 15, 1922, the Duke Mayonnaise Co., Greenville, S. C., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be relabeled "Net Weight 7 Ozs.," and that the products be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10620. Adulteration and misbranding of sirup. U. S. \* \* \* v. Dunbar Molasses & Syrup Co., a Corporation. Plea of guilty. Fine, \$30. (F. & D. No. 10043. I. S. No. 16031-r.)**

On September 27, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dunbar Molasses & Syrup Co., a corporation, New Orleans, La., alleging shipment by said company, on or about April 17, 1918, in violation of the Food and Drugs Act, as amended, from the State of Louisiana into the State of Florida, of a quantity of sirup which was adulterated and misbranded. The article was labeled in part: "Dunbar's White Star Brand Syrup Packed By Dunbar Molasses & Syrup Co., New Orleans, La. \* \* \*"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product was a mixture of glucose and molasses, containing added water, and that the cans containing the same contained less than the declared quantity.

Adulteration of the article was alleged in the information for the reason that substances, to wit, glucose and added water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for sirup, which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Syrup," "Corn Syrup And Sugar House Molasses," and "Contains 9 Lbs.—3 Ozs.," borne on the labels attached to the cans containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article was sirup, that it was corn sirup and sugar house molasses, and that each of the said cans contained 9 pounds and 3 ounces of the said article, and for the further reason that the said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was sirup, that it was corn