

MISCELLANEOUS

1889. Adulteration of ice cream cones. U. S. v. 9 Crates, 14 Crates, 4 Crates, and 13 Crates of Ice Cream Cones. Default decrees of condemnation and destruction. (F. D. C. Nos. 4027, 4034, 4063, 4088. Sample Nos. 55610-E, 55618-E, 55690-E, 55691-E.)

This product had been shipped in second-hand crates which were filthy; in many instances the product was not properly protected by wrapping. Rodent hairs and insect fragments were found in both the crates and cones.

On March 25 and April 3, 1941, the United States attorney for the District of Oregon filed libels against 9 crates of ice cream cones at Eugene, Oreg.; 4 crates at Portland, Oreg.; and 27 crates of the same product at Salem, Oreg., alleging that the article had been shipped within the period from on or about March 10 to on or about March 19, 1941, by the Sugar-Crisp Cone Co. from Seattle, Wash.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance, and in that it had been packed under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: (Crates) "Frozen Drumstick Chocolate Coated Cones."

On May 13, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

1890. Adulteration of blackstrap molasses. U. S. v. 14 Barrels of Blackstrap Molasses. Default decree of condemnation and destruction. (F. D. C. No. 2480. Sample No. 26932-E.)

This product contained lead.

On August 3, 1940, the United States attorney for the Western District of Washington filed a libel against 14 barrels of blackstrap molasses at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about June 29, 1940, by the Western Sugar Refinery from San Francisco, Calif.; and charging that it was adulterated in that it contained an added poisonous or deleterious substance, lead, which might have rendered it injurious to health. The article was labeled in part: "The blackstrap molasses contained herein is not sold as a food and is not to be resold or used as a food or as a component part of any food unless it is so processed as to comply with the Federal Food, Drug, and Cosmetic Act and all regulations issued thereunder. Distributed by Western Sugar Refinery."

On January 28, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1891. Misbranding of table sirup. U. S. v. 198 Cases of Sirup. Default decree of condemnation. Product ordered distributed to local charitable organizations. (F. D. C. No. 4255. Sample Nos. 35078-E, 35079-E.)

This product consisted of a mixture of corn sirup, cane-sugar sirup, and a cane-flavored product. It had been shipped in interstate commerce unlabeled and was being sold, unlabeled, as cane sirup. The consignee had no agreement with the shipper relative to relabeling the product.

On April 7, 1941, the United States attorney for the Southern District of Mississippi filed a libel against 190 cases, each containing 6 No. 10 cans, and 8 cases, each containing 24 No. 2½ cans, of sirup at Jackson, Miss., alleging that the article had been shipped on or about March 17, 1941, by the T. J. Blackburn Syrup Works from Jefferson, Tex.; and charging that it was misbranded.

It was alleged to be misbranded (1) in that it was offered for sale under the name of another food; (2) in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor; (3) in that it was in package form and did not bear a label containing an accurate statement of the quantity of contents; (4) in that its label failed to bear the common or usual name of the food which it purported to be; and (5) in that it was fabricated from two or more ingredients and failed to bear the common or usual name of each ingredient.

On May 7, 1941, no claimant having appeared, judgment of condemnation and destruction was entered. On the same day a supplemental order was entered providing for delivery of the product to local charitable organizations in lieu of destruction, for the exclusive use of such organizations.