

DISPOSITION: September 30, 1944. The Seven-Up Memphis Co., Inc., Memphis, Tenn., having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and reconditioned by refining or recrystallization, under the supervision of the Federal Security Agency.

6875. Adulteration of sirup. U. S. v. 70 Barrels of Sirup. Consent decree of condemnation. Product ordered released under bond or upon the deposit of cash collateral. (F. D. C. No. 13219. Sample No. 39861-F.)

LIBEL FILED: August 11, 1944, Southern District of California.

ALLEGED SHIPMENT: On or about June 23, 1944, by J. B. Robinson, Cleveland, Ohio, from Jersey City, N. J.

PRODUCT: 70 barrels of sirup at Los Angeles, Calif.

Analysis showed that the product was in an active state of fermentation.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: September 11, 1944. Colonial Molasses Co., Inc., Jersey City, N. J., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond or upon the deposit of cash collateral, to be brought into compliance with the law under the supervision of the Food and Drug Administration.

6876. Adulteration of sirup. U. S. v. 164 Cases and 14 Dozen Bottles of Syrup. Default decrees of condemnation and destruction. (F. D. C. Nos. 12873, 13381. Sample Nos. 52633-F, 75386-F.)

LIBELS FILED: July 7, 1944, District of New Hampshire; August 25, 1944, Northern District of West Virginia.

ALLEGED SHIPMENT: On or about October 12, 1943, and February 9, 1944, by the Ol' South Extract Co., from Rochester, N. Y.

PRODUCT: 164 cases, each containing 12 bottles, of sirup at Moundsville, W. Va., and 14 dozen bottles at Manchester, N. H.

This product was in a state of active fermentation.

LABEL, IN PART: (Bottles) "Ol' South Mapleflo Syrup," or "Ol' South Imitation Butter Pancake Syrup."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: September 5 and 16, 1944. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

6877. Adulteration of sirup. U. S. v. 68 Barrels of Syrup. Default decree of condemnation. Product ordered delivered to an agricultural college, for use as livestock feed. (F. D. C. No. 13389. Sample No. 64034-F.)

LIBEL FILED: August 29, 1944, Western District of South Carolina.

ALLEGED SHIPMENT: On or about March 28, 1944, by the Waverly Sugar Co., from Waverly, Iowa.

PRODUCT: 68 barrels, each containing about 50 gallons, of sirup at Shelton, S. C.

This product was undergoing active fermentation.

LABEL, IN PART: "Wasco Grain Syrup—'Malt Free'."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: October 23, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to an agricultural college, for use as livestock feed.

6878. Adulteration and misbranding of maple sirup. U. S. v. 10 Cases and 686 Bottles of Syrup. Default decrees of condemnation. Portion of product ordered delivered to charitable institutions; remainder ordered destroyed. (F. D. C. Nos. 13033, 13105. Sample Nos. 52339-F, 81841-F.)

LIBELS FILED: July 24, 1944, District of Massachusetts; August 2, 1944, District of Connecticut.

ALLEGED SHIPMENT: From on or about April 10 to July 12, 1944, by Bruno Scheidt, Inc., from New York, N. Y.

PRODUCT: 10 cases, each containing 24 6-ounce bottles, of maple sirup at Hartford, Conn., and 686 6-ounce bottles of maple sirup at Newton Center, Mass.

LABEL, IN PART: (Bottles) "100% Grade A Pure Vermont Maple Syrup Sap * * * Tiffany Extract Co. * * * Paterson, N. J.," or "Roland 100% Grade A Pure Vermont Maple Syrup * * * Packed for American Roland Food Co., New York, N. Y."

VIOLATIONS CHARGED: Adulteration (all lots), Section 402 (b) (1), a valuable constituent, maple sugar or maple sirup or maple sap, had been in whole or in part omitted from the article; and, Section 402 (b) (2), sugar sirup, containing more than 35 percent water and containing little or no true maple sugar or maple sirup, had been substituted for maple sirup, which the article purported and was represented to be.

Misbranding, Section 403 (a), the statements, (686 bottles) "100% Grade A Pure Vermont Maple Syrup Sap," and the design of a maple leaf and maple trees, or, (10 cases) "100% Grade A Pure Vermont Maple Syrup," on the labeling, were false and misleading as applied to sugar sirup containing more than 35 percent water and containing little or no true maple sugar or maple sirup; Section 403 (c), (686 bottles) this lot was an imitation of another food, maple sirup, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; and, Section 403 (i) (2), (all lots) the article was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient.

DISPOSITION: September 5 and 6, 1944. No claimant having appeared, judgments of condemnation were entered and one lot was ordered delivered to charitable institutions and the other lot was ordered destroyed.

6879. Adulteration and misbranding of maple sirup. U. S. v. 36 Cases of Maple Syrup (and 2 other seizure actions against maple sirup). Default decrees of condemnation. Product ordered delivered to charitable institutions. (F. D. C. Nos. 13025, 13026, 13080. Sample Nos. 76230-F to 76232-F, incl., 82168-F.)

LIBELS FILED: On or about July 26 and 31, 1944, Southern District of New York.

ALLEGED SHIPMENT: From on or about March 31 to June 16, 1944, by the Tiffany Extract Co., Paterson, N. J.

PRODUCT: 12 1-gallon cans and 71 cases, each containing 24 6-ounce bottles, of maple sirup at New York, N. Y.

LABEL, IN PART: (Cans) "Pure Vermont MAPLE SYRUP * * * Made and put up by Will A. Chatfield, Bethel, Vermont," (bottles) "100% Grade A Pure Vermont Maple Syrup Sap," or "Roland 100% Grade A Pure Vermont Maple Syrup * * * Packed For American Roland Food Co. New York, N. Y."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, maple sugar or maple sirup or maple sap, had been in whole or in part omitted from the article; and, Section 402 (b) (2), sugar sirup, containing (36 cases) more than 35 percent water and (all lots) containing little or no true maple sugar or maple sirup, had been substituted for maple sirup, which the article purported and was represented to be.

Misbranding, Section 403 (a), the label statements, "100% Grade A Pure Vermont Maple Syrup Sap," and the design of a maple leaf and maple trees, or "100% Grade A Pure Vermont Maple Syrup Sap," and a design of maple trees, or "100% Grade A Pure Vermont MAPLE SYRUP" were false and misleading; Section 403 (c), the article (36 cases and 12 cans) was an imitation of another food, maple sirup, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; and, Section 403 (i) (2), it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient.

DISPOSITION: Between August 21 and September 27, 1944. No claimant having appeared, judgments of condemnation were entered and the product was ordered distributed to charitable institutions.

6880. Misbranding of honey. U. S. v. 294 Jars of Honey. Default decree of condemnation. Product ordered delivered to various charitable institutions. (F. D. C. No. 14007. Sample Nos. 76867-F, 76868-F.)

LIBEL FILED: October 7, 1944, Southern District of New York.

ALLEGED SHIPMENT: On or about July 6, 1944, by the Evans Honey Co., from Los Angeles, Calif.

PRODUCT: 294 jars of honey at New York, N. Y.