

**PRODUCT:** 3 1-gallon jugs of 505 Fermentation Inhibitor at Houston, Tex. Analysis showed that the product was an aqueous solution containing about 34 grams of monochloroacetic acid per 100 cc.

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the labeling was misleading since the name "505 Fermentation Inhibitor," in combination with the statements, "Contains: Water, Acetic Derivatives, Food Acids, and esters and ethers of monochloroacetic acid. Use: To be used in Acid products to prevent lactic and alcoholic fermentation and the growth or multiplication of yeast bacteria," created the impression that the article was wholesome and suitable for use as a component of food used by man, whereas it contained monochloroacetic acid, a poisonous and deleterious substance.

**DISPOSITION:** August 30, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**8504. Misbranding of Effect-O. U. S. v. 3 Bottles of Effect-O (and 2 other seizure actions against Effect-O). Decrees of condemnation. Portion of product ordered released under bond; remainder ordered destroyed. (F. D. C. Nos. 16424 to 16428, incl. Sample Nos. 17957-H to 17961-H, incl.)**

**LIBELS FILED:** June 18, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about November 15, 1944, and February 23, 1945, by the Chandler Laboratories, from Philadelphia, Pa.

**PRODUCT:** 3 bottles and 66 cases, each containing 4 bottles, of Effect-O at Chicago, Ill.; and 16 bottles and 18 bottles of Effect-O at Aurora and Joliet, Ill., respectively. Analysis showed that the product was a water solution containing about 13 percent of monochloroacetic acid.

**LABEL, IN PART:** (Bottles) "Effect-O Contents One Gallon."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label of the article was misleading in that the label statements, "The Perfect Stabilizer For All Beverages Eliminates the Use of Preservatives Use ½ Oz. to each Gallon of Bottling Syrup," created the impression that the article was wholesome and suitable for use as a component of all beverages used by man; and the labeling of the article failed to reveal the material fact, in the light of such representations, that monochloroacetic acid is a poisonous and deleterious substance which rendered the product unwholesome and unsuitable for use as a component of beverages used by man.

**DISPOSITION:** Between September 26 and November 6, 1945. Chandler Laboratories having appeared as claimant for the 66-case lot of the product and having admitted the facts of the libel, and no claimants having appeared for the other lots of the product, judgments of condemnation were entered and the 66-case lot was ordered released under bond for relabeling under the supervision of the Food and Drug Administration. The remaining lots were ordered destroyed.

**8505. Misbranding of Effect-O. U. S. v. 3 Bottles of Effect-O. Default decree of condemnation and destruction. (F. D. C. No. 16429. Sample No. 19217-H.)**

**LIBEL FILED:** June 8, 1945, Northern District of Iowa.

**ALLEGED SHIPMENT:** On or about March 19, 1945, by the Anchor Storage Co., from Chicago, Ill.

**PRODUCT:** 3 1-gallon bottles of Effect-O at Waterloo, Iowa.

**LABEL, IN PART:** "Effect-O \* \* \* Chandler Laboratories, Philadelphia, Pa."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label of this article was misleading in the same respect as the label of the product reported in the preceding notice of judgment, No. 8504, involving another lot of the same product.

**DISPOSITION:** July 2, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8506. Misbranding of liquid stabilizer. U. S. v. 3 Jugs of Liquid Stabilizer. Default decree of condemnation and destruction. (F. D. C. No. 16152. Sample No. 5821-H.)**

**LIBEL FILED:** May 17, 1945, District of New Jersey.

**ALLEGED SHIPMENT:** On or about March 6, 1945, by Edward I. Lowell, from New York, N. Y.

**PRODUCT:** 3 1-gallon jugs of liquid stabilizer at Paterson, N. J. Analysis showed that the product was essentially an aqueous solution of monochloroacetic

acid. It was intended for use by dealers as a preservative in chocolate fountain sirups, and it was represented by the shippers as a preservative.  
**LABEL, IN PART:** "Liquid Stabilizer An Inhibitor Containing Monochloroacetic Acid."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the name "Liquid Stabilizer" was misleading since it created the impression that the article was wholesome and suitable for use as a component of food used by man, whereas the labeling failed to reveal the material fact that monochloroacetic acid is a poisonous and deleterious substance, which caused the product to be poisonous and deleterious and which rendered it unwholesome and unsuitable for use as a component of food.

**DISPOSITION:** July 13, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8507. Adulteration and misbranding of peach flow. U. S. v. 181 Cases of Peach Flow. Default decree of condemnation and destruction. (F. D. C. No. 15182. Sample No. 74186-F.)**

**LABEL FILED:** February 3, 1945, Southern District of Illinois.

**ALLEGED SHIPMENT:** On or about November 7, 1944, by the Pure Foods Corporation, from Los Angeles, Calif.

**PRODUCT:** 181 cases, each containing 24 cans, of peach flow at Granite City, Ill. Examination showed that the product contained decomposed peach material; and that it was composed of 33 percent fruit, the remainder being water, sugar, and acid.

**LABEL, IN PART:** "Golden Flow Brand \* \* \* Peach Flow [design of a glass of beverage and a peach]."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

Misbranding, Section 403 (a), the design of a glass containing a beverage, with a picture of a peach, and the name "Peach Flow," were misleading as applied to an article containing only 33 percent fruit.

**DISPOSITION:** August 28, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8508. Adulteration and misbranding of coffee. U. S. v. 4,098 Cases of Coffee. Product relabeled by agreement of the parties, and libel dismissed. (F. D. C. No. 16079. Sample No. 3446-H.)**

**LABEL FILED:** May 1, 1945, District of Maryland; amended June 4, 1945.

**ALLEGED SHIPMENT:** On or about December 7, 1944, by The Fidelity Storage and Salvage Co., from Norfolk, Va.

**PRODUCT:** 4,098 cases, each containing 12 1-pound bags, of coffee at Baltimore, Md. Cup tests showed that the article had the disagreeable, stale flavor of very old, deteriorated coffee.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article was unfit for food since it had the flavor of old, stale, and deteriorated coffee.

Misbranding, Section 403 (a), the labeling was misleading as applied to a product consisting of old, stale, and deteriorated coffee; and it was further misleading since it failed to reveal facts which were material in the light of its representations with respect to the customary and usual conditions of use of the article, as implied by the designation "Coffee."

**DISPOSITION:** The Hanover Jobbing Co., Baltimore, Md., claimant, filed an answer denying that the product was adulterated and misbranded as alleged in the libel. Thereafter, on July 10, 1945, the matters in controversy were resolved by agreement with the Government that the product would be relabeled by affixing to each package of the article a label stating, "This Coffee Packed June 1943," in manner and form subject to the approval of the Food and Drug Administration. On September 19, 1945, the labeling of the product having been completed and approved, the libel was ordered dismissed.

**8509. Misbranding of coffee. - U. S. v. H. A. Marr Grocery Co. Plea of nolo contendere. Fine, \$150. (F. D. C. No. 15561. Sample Nos. 36568-F; 36569-F; 69719-F to 69722-F; incl.)**

**INFORMATION FILED:** June 29, 1945, District of Colorado, against the H. A. Marr Grocery Co., a corporation, Denver, Colo.

**ALLEGED SHIPMENT:** On or about February 22, March 30, and June 3, 1944, from the State of Colorado into the States of Wyoming and Texas.