

LABEL, IN PART: "Frolipop Concentrate Imitation Grape."

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the product contained an added poisonous and deleterious substance, monochloroacetic acid, which is unsafe within the meaning of the law, since it is a substance not required in the production of the food, and it could have been avoided by good manufacturing practice.

DISPOSITION: June 20, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9806. Adulteration of malt sirup. U. S. v. 68 Drums and 35 Drums of Malt Syrup. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 20584. Sample Nos. 48898-H, 48955-H.)

LIBEL FILED: August 7, 1946, District of Connecticut.

ALLEGED SHIPMENT: On or about July 22 and 25, 1946, by Sandner and Co., from Birmingham, Ala.

PRODUCT: 68 55-gallon drums of malt sirup and 35 drums, each containing approximately 650 pounds, of the same product at Hartford, Conn. Analysis showed that the product was fermenting.

LABEL, IN PART: (68 drums) "Mor-Sweet Syrup Maltose Type New Haven Syrup Company New Haven, Conn."

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

DISPOSITION: August 26, 1946. The New Haven Syrup Company, Inc., claimant for the 68 drums, and the Largay Brewing Company, Inc., claimant for the remainder, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured for industrial use, under the supervision of the Food and Drug Administration.

9807. Misbranding of High C Preservatives. U. S. v. 5 Jugs and 8 Bottles of High C Preservatives. Default decrees of condemnation and destruction. (F. D. C. Nos. 19667, 19918. Sample Nos. 9148-H, 53004-H.)

LIBELS FILED: April 11 and May 15, 1946, District of New Jersey and Northern District of Ohio.

ALLEGED SHIPMENT: On or about August 6 and September 5, 1945, by the Sen Sen Extract Co., Inc., from Brooklyn, N. Y.

PRODUCT: 5 1-gallon jugs at Bayonne, N. J., and 8 1-gallon bottles at Cleveland, Ohio, of High C Preservatives. Examination showed that the product was an aqueous solution containing about 13 grams of monochloroacetic acid per 100 cc.

NATURE OF CHARGE: Misbranding, Section 403 (a), the labeling of the article was misleading since it failed to reveal the material fact that the product contained about 13 grams of monochloroacetic acid per 100 cc., a poisonous and deleterious substance which rendered the article unwholesome and unsuitable for use as a component of beverages used by man; Section 403 (e) (1), it failed to bear the name and place of business of the manufacturer, packer, or distributor; and, Section 403 (i) (2), it failed to bear the common or usual name of each ingredient.

DISPOSITION: May 20 and June 13, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

9808. Adulteration of bakery products. U. S. v. Zeno Bakery Corporation. Plea of guilty. Fine, \$200. (F. D. C. No. 20146. Sample Nos. 12369-H, 12373-H, 12375-H to 12378-H, incl.)

INFORMATION FILED: June 22, 1946, District of Vermont, against the Zeno Bakery Corporation, Bellows Falls, Vt.

ALLEGED SHIPMENT: On or about November 16, 1945, from the State of Vermont into the State of New Hampshire.

LABEL, IN PART: "Zeno's * * * Pies [or "Fig Cookies," "Jelly Roll," "Dinner Rolls," "Whole Wheat Bread," or "Enriched Bread"]."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of fragments of flies, rodent hair fragments, insect fragments, an insect, an ant, larvae, larva heads, larva head capsules, a weevil head, and mites; and, Section 402 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: July 26, 1946. A plea of guilty having been entered on behalf of the defendant, a fine of \$200 was imposed.

9809. Adulteration of bread. U. S. v. Citizens Baking Co., Inc. Plea of guilty. Fine, \$500. (F. D. C. No. 20133. Sample No. 10741-H.)

INFORMATION FILED: June 10, 1946, Western District of New York, against the Citizens Baking Co., Inc., Jamestown, N. Y.

ALLEGED SHIPMENT: On or about February 11, 1946, from the State of New York into the State of Pennsylvania.

LABEL, IN PART: "Butter Top Enriched Bread."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 17, 1946. A plea of guilty having been entered on behalf of the defendant, a fine of \$500 was imposed.

9810. Adulteration and misbranding of cheese crackers. U. S. v. 36 Cartons and 14 Cartons of Cheese Crackers. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 20317. Sample Nos. 57150-H, 57151-H.)

LIBEL FILED: July 3, 1946, District of Massachusetts.

ALLEGED SHIPMENT: Between the approximate dates of April 11 and May 17, 1946, by Frank Burns, Inc., from Philadelphia, Pa.

PRODUCT: 50 cartons, each containing 24 packages, of cheese crackers at Wollaston, Mass. Analysis showed that the product contained an insignificant amount of cheese.

LABEL, IN PART: "Frank Burns Cheese Squares [or "Toasted Cheese"]."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, cheese, had been in part omitted; and, Section 402 (b) (4), artificial coloring had been added to the product so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (a), the label statements, "Cheese Squares" and "Toasted Cheese," were false and misleading.

DISPOSITION: August 27, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

CORN MEAL

9811. Adulteration of corn meal. U. S. v. Paul L. Fetherston (The Paoli Mill). Plea of nolo contendere. Fine, \$300. (F. D. C. No. 20463. Sample Nos. 18120-H to 18123-H, incl.)

INFORMATION FILED: July 29, 1946, Western District of Wisconsin, against Paul L. Fetherston, trading as the Paoli Mill, at Paoli, Wis.

ALLEGED SHIPMENT: On or about April 19 and 27 and May 7, 1946, from the State of Wisconsin into the State of Illinois.

LABEL, IN PART: "Special White [or "Yellow"] Corn Meal," or "Special Yellow Corn Flour."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, mites, insects, Mediterranean moth scales, rodent hair fragments, rodent excreta fragments, fragments resembling rodent excreta, and cat hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 16, 1946. A plea of nolo contendere having been entered, the defendant was fined \$300.