

**LABEL, IN PART:** "Ed Chambers' Superior Fountain Syrups Chocolate Flavor," or "Jeepo Fountain Flavor Chocolate Flavor."

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

**DISPOSITION:** January 17, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed by being utilized as animal feed.

#### SIRUPS AND SUGAR

**10394. Adulteration of flavoring sirup. U. S. v. 1 Barrel \* \* \*. (F. D. C. No. 21253. Sample No. 1482-H.)**

**LIBEL FILED:** On or about October 24, 1946, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about August 6, 1946, by Laurie & Massey, Inc., from Dade City, Fla.

**PRODUCT:** 1 50-gallon barrel of flavoring sirup at Smyrna, Ga.

**LABEL, IN PART:** "From Laurie & Massey Distributors \* \* \* to Greatwood Farm Dairy, Smyrna, Georgia Contents: Flavoring Syrups."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, sugar, had been in whole or in part omitted from the article; Section 402 (b) (2), saccharin had been substituted in whole or in part for sugar in the article; and, Section 402 (b) (4), saccharin had been added to the article so as to make it appear better than it was.

**DISPOSITION:** December 10, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10395. Misbranding of sirup. U. S. v. 84 Drums \* \* \*. (F. D. C. No. 21638. Sample No. 54568-H.)**

**LIBEL FILED:** November 13, 1946, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about July 16, 1946, by the Commodity Sales Co., from Patoutville, La.

**PRODUCT:** 84 drums, containing a total of 4,906 gallons, of sirup at St. Petersburg, Fla.

**LABEL, IN PART:** "La Cane Syrup Packed by Enterprise Packers."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label designation "La Cane Syrup" was false and misleading; and, Section 403 (b), the article was molasses and was offered for sale as cane sirup.

**DISPOSITION:** December 9, 1946. The Gerry and Charles Co., St. Petersburg, Fla., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

**10396. Adulteration of sugar. U. S. v. 27 Bags \* \* \*. (F. D. C. No. 18921. Sample No. 19733-H.)**

**LIBEL FILED:** January 29, 1946, Southern District of Iowa.

**ALLEGED SHIPMENT:** On or about September 4 and 24, 1945, from Rocky Ford, Colo.

**PRODUCT:** 27 100-pound bags of sugar at Atlantic, Iowa, in the possession of the Atlantic Wholesale Grocery Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent excreta pellets.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** August 7, 1946. No claimant having appeared, judgment of condemnation was entered and it was ordered that the product be delivered to a public institution to be used for purposes other than human consumption; otherwise, it was to be destroyed.