

DISPOSITION: December 3, 1952. American Factors, Ltd., Honolulu, T. H., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be destroyed.

19605. Adulteration and misbranding of candy. U. S. v. 53 Dozen Boxes * * *
(F. D. C. No. 32947. Sample No. 33698-L.)

LIBEL FILED: March 14, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about February 15, 1952, by Dagmar Candy Mfg. Co., Inc., from Newark, N. J.

PRODUCT: 53 dozen boxes of candy at Chicago, Ill.

LABEL, IN PART: (Box) "The Original Whistle-Pop Net Weight 4½ Ounces 10 Delicious Lollypops that Whistle."

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

Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents (the article was short of the declared weight).

DISPOSITION: June 17, 1952. Default decree of condemnation and destruction. On June 19, 1952, an amended decree was entered to provide for the delivery of a portion of the product to the Food and Drug Administration.

SIRUP

19606. Adulteration and misbranding of sorghum sirup. U. S. v. 17 Cases, etc.
(F. D. C. No. 34011. Sample No. 53152-L.)

LIBEL FILED: On or about October 20, 1952, Western District of Missouri.

ALLEGED SHIPMENT: On or about September 20, 1952, by M. Dawson, from West Monroe, La.

PRODUCT: 17 cases, each containing 12 ½-gallon cans, and 6 cases, each containing 6 1-gallon cans, of sorghum sirup at Springfield, Mo.

LABEL, IN PART: "Sorghum made for and guaranteed by M. Dawson & Son, Springdale, Arkansas * * * made from sorghum grain and cane juice * * * citric acid added to prevent crystallization."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of glucose, sucrose, invert sugar, water, and a small amount of mineral matter had been substituted in whole or in part for sorghum.

Misbranding, Section 403 (a), the label designation "Sorghum" was false and misleading as applied to a mixture of glucose, sucrose, invert sugar, water, and a small amount of mineral matter; and, Section 403 (i) (2), the article was fabricated from two or more ingredients, and it failed to bear a label stating the common or usual name of each ingredient.

DISPOSITION: November 1952. M. Dawson, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was relabeled.