

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), honey and butter, valuable constituents, had been in whole or in part omitted from the product; Section 402 (b) (2), an article containing mineral oil, a nonnutritive substance, and containing little, if any, honey or butter, and having no flavor of honey, had been substituted in whole or in part for "Sugared Buttered Ready to Eat Caramel Coated Wheat Honey Flavored," which the product was represented to be; and, Section 402 (b) (4), mineral oil, a substance having no food value, had been added to and mixed and packed with the product so as to reduce its quality or strength.

Misbranding, Section 403 (a), the following statements and designs in the labeling were false and misleading as applied to an article which contained little, if any, honey or butter: (Cellophane bag) "Honey Child Buttered Honey Flavored Creamery Butter Enriched with Pure Creamery Butter Honey Flavored"; (cases) "Honey Child Honey Flavored"; and (display streamer glued to the case) "Honey Child 'Butter Rich' [picture of a churn and a kettle containing cubes of butter]."

DISPOSITION: November 17, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to the United Service Organizations, to be utilized by that organization or destroyed.

7766. Misbranding of Spanish nut toffee. U. S. v. 25 Cases of Spanish Nut Toffee. Default decree of condemnation. Product ordered delivered to a public organization. (F. D. C. No. 15632. Sample No. 27334-H.)

LIBEL FILED: March 15, 1945, Eastern District of Washington.

ALLEGED SHIPMENT: On or about February 19, 1945, by the California Fruit Chimes Co., from San Gabriel, Calif.

PRODUCT: 25 cases, each containing 48 5-ounce packages, of Spanish nut toffee, at Yakima, Wash.

VIOLATION CHARGED: Misbranding, Section 403 (d), the container of the article was so filled as to be misleading since there was an excessive amount of unfilled space in the package.

DISPOSITION: May 1, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public organization.

SIRUPS AND SUGARS*

7767. Adulteration and misbranding of sirup. U. S. v. 16 Cases of Sirup. Default decree of condemnation. Product ordered delivered to a charitable organization. (F. D. C. No. 13097. Sample No. 76231-F.)

LIBEL FILED: August 2, 1944, District of New Jersey.

ALLEGED SHIPMENT: On or about June 5, 1944, by Michels, from New York, N. Y.

PRODUCT: 16 cases, each containing 24 6-ounce bottles, of sirup at West Englewood, N. J.

LABEL, IN PART: (Bottles) "Vermont Maple Syrup * * * Tiffany Extract Co. * * * Paterson, N. J."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, maple sugar or maple sirup, had been in whole or in part omitted from the product; 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 product purported and was represented to be.

Misbranding, Section 403 (a), the label statement, "100% Grade A Pure Vermont Maple Syrup Sap," and the design of a maple leaf and maple trees, were false and misleading; Section 403 (c), the product 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: October 23, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable organization, after destruction of the labels as directed by the Food and Drug Administration.

*See also Nos. 7702-7706.