

ALLEGED SHIPMENT: On or about December 1, 1945, by A. A. Freund, from Buffalo, N. Y.

PRODUCT: 84 cases, each containing 24 pint bottles, of imitation fruit sirups at Manayunk, Pa. Examination showed that the products were fermented.

LABEL, IN PART: "Imitation Strawberry [or "Orange," "Raspberry," or "Cherry"] Frute-Ade Syrup 1 Pint Made By Atlantic Food Packing Co. Trenton, N. J."

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

DISPOSITION: March 26, 1946. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

10906. Adulteration of beverage bases. U. S. v. 2 Barrels * * * (and 4 other seizure actions). (F. D. C. Nos. 19601, 19789, 19790, 20000, 20228. Sample Nos. 45438-H, 45556-H to 45559-H, incl., 51201-H, 57102-H, 57105-H, 59006-H.)

LIBELS FILED: Between the dates of April 23 and June 7, 1946, Northern District of California and Districts of Minnesota, Montana, and Massachusetts.

ALLEGED SHIPMENT: Between the approximate dates of July 2, 1945, and March 21, 1946, by C. O. and W. D. Sethness Co., from Chicago, Ill.

PRODUCT: Beverage bases. 2 10-gallon barrels at Red Wing, Minn., 16 1-gallon jugs and 5 1-gallon jugs at San Francisco and Stockton, Calif., respectively, 8 1-gallon bottles at Havre, Mont., and 2 1-gallon bottles at Swampscott, Mass.

LABEL, IN PART: "Cosco Grape," "Cosco Golden Dawn Lemonade," "Cosco Dairy Orange," "Cosco Imitation Cherry Soda Water Flavor," "Cosco Orange * * * Concentrate," or "Cosco Golden Dawn Orange Base."

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the articles 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 articles and could have been avoided by good manufacturing practice.

DISPOSITION: Between the dates of June 19 and October 21, 1946. No claimant having appeared for any of the lots, judgments of condemnation were entered and the products were ordered destroyed.

10907. Misbranding of beverage stabilizer. U. S. v. 3 Jugs * * *. (F. D. C. No. 19621. Sample No. 46076-H.)

LIBEL FILED: April 15, 1946, Northern District of California.

ALLEGED SHIPMENT: On or about May 3, 1945, by the Penrith-Akers Manufacturing Co., from Minneapolis, Minn.

PRODUCT: 3 1-gallon jugs of beverage stabilizer at Sacramento, Calif.

LABEL, IN PART: "P. and A. Brand Gallon Pacex A Stabilizer containing water, salts, and esters of monochloroacetic acid."

NATURE OF CHARGE: Misbranding, Section 403 (a), the labeling was misleading since the trade name "Pacex" coupled with the directions for use represented to purchasers that the article was wholesome and suitable for use as a component of beverage sirup and beverage for man. The article contained per 100 cc. about 6 grams of monochloroacetic acid, which is a poisonous and deleterious substance, and the labeling failed to reveal the material fact that the product contained a poisonous and deleterious substance.

DISPOSITION: June 26, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

10908. Adulteration of bakery products. U. S. v. Robert M. Lehman (Cake Box Products). Plea of nolo contendere. Fine, \$300. (F. D. C. No. 19536. Sample Nos. 44044-H, 44045-H, 44167-H to 44170-H, incl.)

INFORMATION FILED: May 29, 1946, Southern District of California, against Robert M. Lehman, trading as Cake Box Products, Los Angeles, Calif.