

**11311. Adulteration of root beer sirup. U. S. v. 56 Cases \* \* \*. (F. D. C. No. 20607. Sample No. 52458-H.)**

**LIBEL FILED:** August 6, 1946, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about April 17 and 23, 1946, by the American Cola Co., from Chicago, Ill.

**PRODUCT:** 56 cases, each containing 4 1-gallon bottles, of root beer sirup at Cincinnati, Ohio.

**LABEL, IN PART:** "Vic-Roo Root Beer Syrup."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, sugar, had been in part omitted from the article; Section 402 (b) (2), an article containing saccharin had been substituted in whole or in part for root beer sirup containing sugar; and, Section 402 (b) (4), saccharin had been mixed and packed with the article so as to reduce its quality or strength and make it appear better and of greater value than it actually was.

**DISPOSITION:** September 4, 1946. Default decree of condemnation and destruction.

**11312. Adulteration of Vic-Cola (beverage concentrate). U. S. v. 10 Barrels \* \* \*. (F. D. C. No. 20369. Sample No. 52457-H.)**

**LIBEL FILED:** August 1, 1946, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about May 31, 1946, by the American Cola Co., from Chicago, Ill.

**PRODUCT:** 10 52-gallon barrels of Vic-Cola beverage concentrate at Cincinnati, Ohio.

**LABEL, IN PART:** "Vic-Cola The Complete Concentrate."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, sugar, had been in part omitted from the article; Section 402 (b) (2), an article containing saccharin had been substituted in whole or in part for a beverage concentrate containing cane sugar; and, Section 402 (b) (4), saccharin had been mixed and packed with the article so as to reduce its quality or strength and make it appear better and of greater value than it was.

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

**11313. Misbranding of Bevco Stabilizer. U. S. v. 52 Bottles \* \* \*. (F. D. C. No. 21088. Sample No. 54408-H.)**

**LIBEL FILED:** On or about October 3, 1946, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about March 21 and June 4, 1946, by Chandler Laboratories, from Philadelphia, Pa.

**PRODUCT:** 52 1-gallon bottles of Bevco Stabilizer at Atlanta, Ga.

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the labeling of the article was misleading since the statements "Bevco Stabilizer For All Beverages \* \* \* Use 1/2-ounce to each gallon of bottling syrup or to 6 gallons of finished drink or beverage" represented to purchasers of the article that it was wholesome and suitable for use as a component of beverages for man. The article contained per 100 cc. about 0.46 gram of quaternary ammonium compound, a poisonous and deleterious substance, and the labeling failed to reveal this material fact.

**DISPOSITION:** November 13, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**CEREALS AND CEREAL PRODUCTS****BAKERY PRODUCTS****11314. Adulteration of bread. U. S. v. John Olen Elliott (Aunt Betty Baking Company). Plea of guilty. Fine of \$200 on count 1; sentence of 6 months in jail on count 2 suspended and defendant placed on probation for a period of 3 years. (F. D. C. No. 20447. Sample Nos. 25097-H, 25098-H.)**

**INFORMATION FILED:** On or about July 18, 1946, Eastern District of Texas, against John Olen Elliott, trading as the Aunt Betty Baking Co., Texarkana, Tex.

**ALLEGED SHIPMENT:** On or about February 26, 1946, from the State of Texas into the State of Arkansas.