5602. Adulteration and misbranding of carbonated beverages. U. S. v. 2,084 Cases and 6,000 Cases of Carbonated Beverages. Default decrees of condemnation. Beverage contents ordered destroyed, with provision for the sale of the empty bottles. (F. D. C. Nos. 10410, 10789. Sample Nos. 31085-F, 43114-F.)

On or about August 19 and October 5, 1943, the United States attorneys for the Western District of Washington and the District of Oregon filed libels against 2,084 cases at Seattle, Wash., and 6,000 cases at Portland, Oreg., each containing 12 bottles, of carbonated beverages, alleging that the lot at Seattle and a portion of the lot at Portland (2,000 cases) had been shipped in interstate commerce on or about May 22 and June 10, 1943, from Chicago, Ill., by the S. & L. Beverage Co.; and charging that they were adulterated and misbranded. The articles shipped by that company were labeled in part: (Bottles) "Strawberry Soda [or "Lemon Soda," "Orange Soda," or "Root Beer"] Green Leaf Special Quality Beverages."

They were alleged to be adulterated in that a valuable constituent, sugar, had been in part omitted therefrom, in that saccharin had been substituted for material amounts of sugar, and in that saccharin, having no food value, had been added thereto or mixed or packed therewith so as to reduce the quality or strength of the beverages.

They were alleged to be misbranded in that the names "Strawberry Soda," "Lemon Soda," "Orange Soda," and "Root Beer," appearing in their labeling, were false and misleading as applied to articles containing saccharin, a nonnutritive substance.

On October 4 and November 18, 1943, no claimant having appeared, judgments of condemnation were entered and the beverage contents of the bottles were ordered destroyed, with provision for the sale of the empty bottles. (See notices of judgment on foods, Nos. 5603 and 5604, for the disposition of the remaining 4,000 cases.)

5603. Adulteration of carbonated beverages. U. S. v. 6,000 Cases of Carbonated Beverages. Default decree of condemnation. Beverage contents ordered destroyed, with provision for the sale of the empty bottles. (F. D. C. No. 10790. Sample No. 43110-F.)

On or about October 5, 1943, the United States attorney for the District of Oregon filed a libel against 6,000 cases, each containing 12 bottles, of carbonated beverages at Portland, Oreg., alleging that a portion of the article (2,000 cases) had been shipped in interstate commerce on or about May 22, 1943, from Chicago, Ill., by the Liberty Bott. (Liberty Bottling Co.); and charging that it was adulterated. This portion of the article was labeled in part: (Bottles) "Chicago's Favorite Carbonated Beverage."

It was alleged to be adulterated in that a valuable constituent, sugar, had been in part omitted therefrom, in that saccharin had been substituted for material amounts of sugar, and in that saccharin, having no food value, had been added thereto or mixed or packed therewith so as to reduce the quality or strength of the beverages.

On November 18, 1943, no claimant having appeared, judgment of condemnation was entered and the beverage contents of the bottles were ordered destroyed, with provisions for the sale of the empty bottles. (See notices of judgment on foods, Nos. 5602 and 5604, for the disposition of the remaining 4,000 cases.)

5604. Adulteration and misbranding of carbonated beverages. U. S. v. 6,000 Cases of Carbonated Beverages. Default decree of condemnation. Beverage contents ordered destroyed, with provision for the sale of the empty bottles. (F. D. C. No. 10791. Sample Nos. 43108-F, 43109-F.)

On or about October 5, 1943, the United States attorney for the District of Oregon filed a libel against 6,000 cases, each containing 12 bottles, of carbonated beverages at Portland, Oreg., alleging that a portion of the articles (2,000 cases) had been shipped in interstate commerce on or about May 29, 1943, from Chicago, Ill., by the Silver Cup Beverage Co.; and charging that it was adulterated and misbranded. This portion of the articles was labeled in part: (Bottles) "Tasty Cherry Soda," or "Delight Creamy Root Beer."

The articles were alleged to be adulterated in that a valuable constituent, sugar, had been in part omitted therefrom, in that saccharin had been substituted for material amounts of sugar, and in that saccharin, having no food value, had been added thereto or mixed or packed therewith so as to reduce the quality or strength of the beverages.