6080. Adulteration and misbranding of maple sirup. U. S. v. 14 Cases of Maple Syrup. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 12913. Sample No. 50981-F.)

LIBEL FILED: July 10, 1944, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 7, 1944, from New York, N. Y., by the American Roland Food Co.

PRODUCT: 14 cases, each containing 24 bottles, of maple sirup at Philadelphia, Pa.

This product was a sugar sirup that contained more than 35 percent water and little or no true maple sugar or maple sirup. It had a flavor and odor similar to maple sirup.

LABEL, IN PART: (Bottles) "100% Grade A Pure Vermont Maple Syrup Sap [design of a maple leaf and maple trees] Tiffany Extract Co. * * * Paterson, N. J."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, maple sugar or maple sap, had been in whole or in part omitted; and, Section 402 (b) (2), sugar sirup that contained more than 35 percent water and little or no true maple sugar or maple sirup had been substituted for maple sirup, which the article purported and was represented to be.

Misbranding, Section 403 (a), the statement, "100% Grade A Pure Vermont Maple Syrup Sap," and the design of a maple leaf and maple trees, were false and misleading as applied to a sugar sirup that contained more than 35 percent water and little or no true maple sugar or maple sirup; Section 403 (c), the article 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 ingredient.

DISPOSITION: August 16, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

6081. Adulteration and misbranding of cane and maple sirup. U. S. v. 42 Cases of Cane and Maple Syrups. Default decree of condemnation. Product ordered delivered to a local hospital. (F. D. C. No. 12773. Sample No. 58680-F.)

LIBEL FILED: June 24, 1944, District of Columbia.

ALLEGED SHIPMENT: On or about September 21, 1943, by the Southern Packing Co., from Baltimore, Md.

PRODUCT: 42 cases, each containing 4 1-gallon jugs, of cane and maple sirups, at Washington, D. C.

LABEL, IN PART: (Jugs) "Blend of cane and maple syrups."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), in that valuable constituents, cane sugar and maple sugar, had been in part omitted; Section 402 (b) (2), in that a diluted cane sugar and maple sirup had been substituted for cane and maple sirup; and, Section 402 (b) (4), in that water had been added thereto and mixed and packed therewith so as to reduce the quality and strength of the product.

Misbranding, Section 403 (a), in that the name, "Blend of Cane and Maple Syrups," was misleading as applied to a diluted cane sugar, and maple sirup; and Section 403 (b), in that the product was offered for sale under the name of another food, "maple syrup (blend of cane and maple)."

DISPOSITION: July 31, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a local hospital.

6082. Adulteration and misbranding of sorghum sirup. U. S. v. 35 Pails of Syrup. Default decree of condemnation. Product distributed to charitable institutions. F. D. C. No. 12197. Sample No. 57843-F.)

LIBEL FILED: April 17, 1944, District of Colorado.

ALLEGED SHIPMENT: On or about November 2, 1943, by E. E. Kerr, Sulphur Springs, Tex.

PRODUCT: 35 pails of sirup at Colorado Springs, Colo.

LABEL, IN PART: "East Texas Pure Sorghum Syrup. Made for and sold by Kerr Bros., Sulphur Springs Texas."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), sorghum sirup and glucose had been substituted for pure sorghum sirup, which the article purported to be; and, Section 402 (b) (4), glucose had been added or mixed therewith so as to reduce the quality or strength of the product.

Misbranding, Section 403 (a), the statement, "Pure Sorghum Syrup Nothing Added, Nothing Taken From, Whole and Pure," was false and misleading as applied to an article containing glucose, and the statement, "Net Contents: 3 Quarts, 1 Pint, 6 Fluid Ounces," was false and misleading as applied to an article that was short volume; Section 403 (b), the article was offered for sale under the name of another food; and, Section 403 (e) (2), it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: June 22, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

6083. Misbranding of imitation maple sirup. U. S. v. 149 Cases of Syrup. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 12400. Sample No. 75301–F.)

LIBEL FILED: May 17, 1944, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 28, 1944, by the Ol' South Extract Co., from Rochester, N. Y.

PRODUCT: 149 cases, each containing 24 bottles, of sirup at Sharon, Pa.

This product was an artificially flavored and colored sugar and glucose sirup; and it contained no maple sugar or maple sirup, but simulated the flavor and appearance of maple sirup.

LABEL, IN PART: (Bottles) "Ol' South Pancake Syrup * * * Contains Cane Sugar, Imitation Maple Flavor, Added Color, Water."

VIOLATIONS CHARGED: Misbranding, Section 403 (c), in that the article 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 ingredient since glucose was not declared.

DISPOSITION: August 8, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

SUGAR

6084. Adulteration of sugar. U. S. v. 6 Bags and 30 Bags of Sugar. Consent decree of condemnation. Product ordered released under bond for refining and recrystallization. (F. D. C. No. 12751. Sample Nos. 72546–F, 72547–F.)

LIBEL FILED: July 7, 1944, Western District of Tennessee.

ALLEGED SHIPMENT: On or about February 3 and March 28, 1944, from New Orleans, La.

PRODUCT: 36 100-pound bags of sugar in the possession of McKesson & Robbins, Inc., Memphis, Tenn.

This product was stored, after shipment, under insanitary conditions. Rodent pellets and urine stains were found on the bags, and examination showed that the product had been contaminated with rodent urine.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: July 12, 1944. McKesson & Robbins, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for refining and recrystallization under the supervision of the Federal Security Agency.

6085. Adulteration of sugar. U. S. v. 63 Bags of Sugar. Decree of condemnation. Product ordered released under bond for segregation and denaturing of the unfit portion. (F. D. C. No. 12711. Sample No. 67592–F.)

LIBEL FILED: June 19, 1944, Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about September 24, 1943, from Tampa, Fla.