LABEL, IN PART: (Bottles) "Master Chef Pan Cake Syrup Contains: Pure Cane Sugar, Corn Syrup, Imitation Maple Flavor, Caramel Color."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: December 22, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7573. Adulteration and misbranding of sirups. U. S. v. 25 Jugs of Waffle Sirup and 34 Jugs of Fountain Sirups. Default decree of condemnation. Products ordered delivered to charitable institutions. (F. D. C. No. 13776. Sample Nos. 82701–F to 82704–F, incl.)

LIBEL FILED: September 11, 1944, Southern District of New York.

ALLEGED SHIPMENT: Between the approximate dates of May 9 and July 25, 1944, by the H. Cherrnay Corp., from Bronx, N. Y., to Newark, N. J. These products were returned to the original shipper by the consignee on or about August 8, 1944.

PRODUCT: 25 1-gallon jugs of waffle sirup and 34 1-gallon jugs of fountain sirups at Bronx, N. Y.

LABEL, IN PART: "Diamond Brand Waffle Syrup," "Cherrnay's Syrup Special Diamond Brand Concentrated Orange Syrup," or "Cherrnay's Concentrated Syrup Diamond Brand Grape [or "Cherry"]."

VIOLATIONS CHARGED: Fountain sirups, adulteration, Section 402 (b) (1), valuable constituents of the articles had been in part omitted; and, Section 402 (b) (2), orange-flavored sirup had been substituted in whole or in part for concentrated orange sirup; an artificially flavored and colored mixture of sugar and water, containing an insignificant amount of grape juice, had been substituted in whole or in part for concentrated grape sirup; and an artificially flavored and colored mixture of sugar or sugars, water, and an insignificant amount of cherry juice, had been substituted in whole or in part for concentrated cherry sirup. Misbranding, Section 403 (a), the names, "Concentrated Orange Syrup," "Concentrated Syrup * * * Grape * * * The juice of Selected Grapes, Flavor," and "Concentrated Syrup * * * Cherry * * * The juice of Selected Cherries, Flavor * * *," and the vignette of fruit on the label of the cherry flavor, were false and misleading; Section 403 (i) (2), the articles were fabricated from two or more ingredients and their labels failed to bear the common or usual name of each ingredient; and, Section 403 (e), (grape and cherry sirups only) the articles were imitations of other foods, and they failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the names of the foods imitated.

Waffle sirup, adulteration, Section 402 (b) (4), artificial flavoring and artificial coloring had been added to and mixed or packed with the article so as to make it appear better and of greater value than it was. Misbranding, Section 403 (c), the article was an imitation of 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; Section 403 (f), the statement of the quantity of the contents was not prominently placed on the label with such conspicuousness, as compared with other words, statements, designs, or devices, as to render it likely to be read by the ordinary individual under customary conditions of purchase and use, since the statement of volume was blown into the glass on the side of the jug; and, Section 403 (i) (2), the article was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient.

DISPOSITION: September 26, 1944. No claimant having appeared, judgment of condemnation was entered and the products were ordered delivered to charitable organizations.

7574. Adulteration of Sweetose Syrup. U. S. v. 936 Jars of Sweetose Syrup. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 14519. Sample No. 80976–F.)

LIBEL FILED: On or about November 29, 1944, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 17, 1944, by the H. B. Leiserowitz Co., from Des Moines, Iowa.

PRODUCT: 936 5-pound jars of Sweetose Syrup, at Kansas City, Mo.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.