

LABEL, IN PART: (Jars) "Brimfull Brand Coffee Net Weight 1 Lb.," or "Red & White Brand * * * Coffee Net Weight 1 Lb. Red & White Corpn. Distributors, Chicago, Ill."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents, since the jars contained less than 1 pound net weight.

DISPOSITION: August 1, 1945. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$50 on each of 3 counts was imposed, a total fine of \$150.

8510. Adulteration and misbranding of orange-, lemon-, and grape-flavored sirups. U. S. v. 90 Cases of Home Brand Nectar Sirup (Orange, Lemon and Grape Flavors). Default decree of condemnation and destruction. (F. D. C. No. 15149. Sample Nos. 74887-F to 74889-F, incl.)

LABEL FILED: February 20, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about June 9, 1944, by the Empire Freight Co., from Los Angeles, Calif. The shipment was invoiced by the California Associated Products Co., Los Angeles, Calif.

PRODUCT: 200 cases, each containing 24 8-ounce bottles, of orange-, lemon-, and grape-flavored sirups at Everett, Wash.

LABEL, IN PART: "Home Brand Nectar Syrup Orange [or "Lemon" or "Grape"] Flavor * * * Greene Products Company * * * Los Angeles California * * * Contains Sugar, Water, Concentrated Orange [or "Lemon" or "Grape"] Juice and other Natural Flavors, Citric Acid, Phosphoric Acid, Artificial Food Colors, less than $\frac{1}{10}$ of 1% Benzoate of Soda."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, concentrated orange juice, lemon juice, and grape juice, had been omitted in whole or in part from the respective articles; and, Section 402 (b) (4), artificial color and acids, plus orange oil in the orange-flavored sirup, lemon oil in the lemon-flavored sirup, and artificial flavor in the grape-flavored sirup, had been added to the respective articles and mixed and packed with them so as to make them appear to be sirups containing a substantial amount of concentrated orange, lemon, or grape juice, which sirups are better or of greater value than the articles were.

Misbranding, Section 403 (a), the label statements, "Contains * * * Concentrated Orange Juice * * * making jelly and marmalade * * * Orange Juice—simply add water to this syrup and drink as orange juice," "Contains * * * Concentrated Lemon Juice * * * can also be used to make marmalade and jelly," and "with Other Natural Flavors * * * Contains * * * Concentrated Grape Juice, and Other Natural Flavors * * * making jelly and marmalade * * * Grape Juice—simply by adding water to 'Nectar Syrup' drink as grape juice," were false and misleading as applied to the articles, which contained inconsequential amounts of concentrated orange juice, concentrated lemon juice, and concentrated grape juice.

DISPOSITION: September 7, 1945. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

CEREALS AND CEREAL PRODUCTS

MACARONI AND NOODLE PRODUCTS

8511. Adulteration of macaroni and noodle products. U. S. v. Favro Macaroni Manufacturing Co., a partnership, and Armand Favro. Pleas of guilty. Partnership fined \$504; individual fined \$4 and sentenced to serve 3 months in jail; jail sentence suspended, and individual defendant placed on 3 years' probation. (F. D. C. No. 14288. Sample Nos. 74541-F, 74543-F, 74722-F, 74956-F, 83501-F.)

INFORMATION FILED: August 23, 1945, Western District of Washington, against the Favro Macaroni Manufacturing Co., a partnership, Seattle, Wash., and Armand Favro, a partner.

ALLEGED SHIPMENT: Between the approximate dates of September 6 and October 13, 1944, from the State of Washington into the States of Montana, Oregon, and Idaho.

LABEL, IN PART: (Portion) "100% Semolina Sedani [or "Long Capellini"] Cinelli's Best Imported Style Paste Seattle G. Cinelli Company Tacoma"; (remainder) "Mostacioli," "Egg Noodles," "Orzo," "Spaghetti," "Vermicelli,"