SPICES AND FLAVORS

8786. Adulteration and misbranding of oil of lemon. U. S. v. Standard Synthetics, Inc. Plea of guilty. Total fine, $500 on 5 counts; sentence suspended on 3 counts. (F. D. C. No. 10623. Sample Nos. 11304–F, 11326–F to 11328–F, incl.)

INFORMATION FILED: On October 4, 1944, in the Southern District of New York, against the Standard Synthetics, Inc., New York, N. Y.

ALLEGED SHIPMENT: Between the approximate dates of August 19 and December 28, 1942, from the State of New York into the State of California.

LABEL, IN PART: (Portions) "Oil of Lemon Baja Brand," or "Oil of Lemon 'Baja Brand' U. S. P."; (invoice of one lot) "Oil of Lemon * * * U. S. P."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), lemon oil distillate or a mixture of distillates of lemon oil, had been substituted in whole or in part for oil of lemon or oil of lemon U. S. P., which the article purported or was represented to be.

Misbranding, Section 403 (a), the label statements, "Oil of Lemon" and "Oil of Lemon * * * U. S. P.," were false and misleading since the article was not oil of lemon and it did not conform with the specifications of the United States Pharmacopoeia for oil of lemon; Section 403 (b), the article was offered for sale under the name of another food, i. e., oil of lemon U. S. P.; Section 403 (c), it was an imitation of another food 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 such ingredient.

A portion of the article was also alleged to be adulterated under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1368.

DISPOSITION: October 13, 1944. A plea of guilty having been entered, the defendant was fined $100 on each of counts 1, 3, 5, 6, and 8, charging adulteration of the product both as a food and a drug. Imposition of sentence was suspended on counts 2, 4, and 7, charging misbranding of the product as a food.

8787. Adulteration and misbranding of imitation chocolate extract. U. S. v. 10½ Cases of Imitation Chocolate Extract. Default decree of condemnation and destruction. (F. D. C. No. 14869. Sample No. 88092–F.)

LIBEL FILED: December 26, 1944, District of Massachusetts.

ALLEGED SHIPMENT: On or about March 13, 1943, by the Victory Extract Manufacturing Co., from Rochester, N. Y.

PRODUCT: 10½ cases, each containing 24 4-ounce bottles, of imitation chocolate extract at Malden, Mass.

LABEL, IN PART: "Victory Brand Imitation Chocolate Concentrated Extract."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a solution having no flavor of chocolate and containing inconsequential amounts of two of the important members of the vitamin B complex, B_1 and riboflavin, had been substituted in whole or in part for "Imitation Chocolate Concentrated Extract Enriched with Vitamin B Complex."

Misbranding, Section 403 (a), the statements on the label, "Imitation Chocolate Concentrated Extract Enriched with Vitamin B Complex * * * For Chocolate Syrup * * * a substitute for any form of cocoa or chocolate. * * * is highly concentrated * * * Enriched with Vitamin B Complex Thiamin, Riboflavin (vitamin G)," were false and misleading as applied to a product which had no flavor of chocolate and which contained inconsequential amounts of vitamin B_1 and riboflavin.

DISPOSITION: January 29, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8788. Adulteration of whole ginger. U. S. v. 14 Bags of Whole Ginger. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15463. Sample Nos. 22627–H, 22628–H.)

LIBELS FILED: March 3, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about July 29, 1942, by the Otto Gerau Co., from Brooklyn, N. Y.