

FEDERAL SECURITY AGENCY**FOOD AND DRUG ADMINISTRATION****NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG,
AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

9801-10000

FOODS

The cases reported herewith were instituted in the United States district courts by the United States attorneys acting upon reports submitted by direction of the Federal Security Administrator.

MAURICE COLLINS, *Acting Administrator, Federal Security Agency.*

WASHINGTON, D. C., *May 29, 1947.*

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BEVERAGES AND BEVERAGE MATERIALS

9801. Adulteration of coffee. U. S. v. 31 Cases of Coffee. Default decree of destruction. (F. D. C. No. 19835. Sample No. 59859-H.)

LIBEL FILED: May 10, 1946, Southern District of Ohio.

ALLEGED SHIPMENT: On or about January 18 and February 28, 1946, by the Dilworth Co., from Latrobe, Pa.

PRODUCT: 31 cases, each containing 24 1-pound jars, of coffee at Steubenville, Ohio.

LABEL, IN PART: "Benson's Supreme Blend Coffee."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 19, 1946. No claimant having appeared, judgment was entered and the product was ordered destroyed.

9802. Adulteration of green coffee. U. S. v. 60 Bags of Green Coffee. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19796. Sample No. 16091-H.)

LIBEL FILED: April 30, 1946, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about November 3, 1942, by the J. Aron Co., Inc., from New York, N. Y.

PRODUCT: 60 100-pound bags of green coffee at Detroit, Mich.

LABEL, IN PART: "Bamboli * * * Product of Belgian Congo."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of insect infestation.

DISPOSITION: September 14, 1946. J. Aron & Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for salvage under the supervision of the Federal Security Agency. The good portion was to be sold for human consumption, and the unfit portion was to be sold for nonfood purposes.

9803. Adulteration of beverage concentrate. U. S. v. 1 Keg of Beverage Concentrate. Default decree of condemnation and destruction. (F. D. C. No. 19781. Sample No. 38649-H.)

LABEL FILED: April 25, 1946, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about October 4, 1945, by the King Kola Manufacturing Co., from Granite City, Ill.

PRODUCT: 1 10-gallon keg of beverage concentrate at Cudahy, Wis.

LABEL, IN PART: "A concentrate containing water, pure cane sugar, extract of Kola Nuts."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing saccharin had been substituted in whole or in part for a beverage concentrate containing cane sugar; and, Section 402 (b) (4), saccharin had been mixed and packed with the article so as to reduce its quality and strength and make it appear better and of greater value than it was.

DISPOSITION: June 17, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9804. Adulteration and misbranding of beverage sirups. U. S. v. 190 Bottles of Fruit-Flavored Beverage Syrups. Default decree of condemnation and destruction. (F. D. C. No. 20563. Sample Nos. 56709-H to 56713-H.)

LABEL FILED: July 29, 1946, District of Massachusetts.

ALLEGED SHIPMENT: On or about March 2, 1945, by the Reco Sales Co., from New York, N. Y.

PRODUCT: 69 pint bottles of imitation orange sirup, 15 pint bottles of lemon and lime sirup, 44 pint bottles of raspberry sirup, 6 pint bottles of strawberry sirup, and 56 pint bottles of punch sirup. The imitation orange, lemon and lime, and raspberry sirups were fermented. The raspberry, strawberry, and punch sirups were composed of sugar and water, artificially flavored and colored to simulate fruit sirups.

LABEL, IN PART: "Reco imit. Orange Syrup," "Reco Lemon and Lime [or "Raspberry," "Strawberry," or "Punch"] Syrup." The labels of the raspberry, strawberry, and punch sirups contained the statements, "Contains: Pure cane sugar syrup, flavoring extract, fruit acid and food color. Preserved with 1/10 of 1% benzoate of soda."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the orange, lemon and lime, and raspberry sirups consisted in whole or in part of decomposed substances; and, Section 402 (b) (4), artificial flavoring and coloring had been added to and mixed and packed with the raspberry, strawberry, and punch sirups so as to make them appear better and of greater value than they were.

Misbranding (raspberry, strawberry, and punch sirups), Section 403 (a), the label designations, "Raspberry Syrup," "Strawberry Syrup," and "Punch Syrup," respectively, were false and misleading; Section 403 (c), the sirups were imitations of other foods, and their labels 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 (k), they contained artificial flavoring and coloring, and failed to bear labeling stating that fact.

DISPOSITION: August 27, 1946. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

9805. Adulteration of grape concentrate. U. S. v. 4 Gallons of Grape Concentrate. Default decree of condemnation and destruction. (F. D. C. No. 19954. Sample No. 53119-H.)

LABEL FILED: May 28, 1946, Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about April 19, 1946, by the Frigie Corporation of America, from Chicago, Ill.

PRODUCT: 4 1-gallon jugs of grape concentrate at Newport, Ky.