

**DISPOSITION:** May 10, 1946. J. Aron and Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned upon the segregation of the unfit portion from the fit portion, under the supervision of the Federal Security Agency.

**10902. Adulteration of tomato juice. U. S. v. 2,960 Cases \* \* \*. (F. D. C. No. 19668. Sample No. 29978-H.)**

**LIBEL FILED:** April 15, 1946, District of New Jersey.

**ALLEGED SHIPMENT:** On or about January 22, 1946, by Walter M. Field and Co., from Oakland, Calif.

**PRODUCT:** 2,960 cases, each containing 24 1-pint, 2-fluid-ounce cans, of tomato juice at Jersey City, N. J.

**LABEL, IN PART:** (Cans) "Filigree Tomato Juice \* \* \* Filigree Quality Foods, Inc., Jersey City, New Jersey Distributors."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

**DISPOSITION:** December 2, 1946. The National Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

**10903. Misbranding of cider. U. S. v. 199 Cases, etc. (F. D. C. No. 19124. Sample No. 30053-H.)**

**LIBEL FILED:** February 26, 1946, Northern District of California.

**ALLEGED SHIPMENT:** On or about November 19, 1945, by the Pacific Coast Vinegar Co., from Seattle, Wash.

**PRODUCT:** 199 cases, each containing 4 1-gallon jugs, and 199 cases, each containing 6 ½-gallon jugs, of cider at San Francisco, Calif. Examination showed that the product was undergoing alcoholic and acetous fermentation, resulting in a mixture of cider and vinegar.

**LABEL, IN PART:** "Ford's Sweet Cider Made from Washington Apples."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the name "Sweet Cider" was false and misleading as applied to a mixture of cider and vinegar.

**DISPOSITION:** March 27, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10904. Adulteration of imitation fruit sirups. U. S. v. 10 Cases \* \* \* (and 3 other seizure actions). (F. D. C. Nos. 19461, 19580, 19704, 20009. Sample Nos. 5514-H, 9839-H, 56648-H, 56650-H, 59666-H.)**

**LIBELS FILED:** March 26 and 29, April 24, and May 16, 1946, Eastern District of Pennsylvania, Western District of New York, District of Massachusetts, and Western District of Pennsylvania.

**ALLEGED SHIPMENT:** Between the approximate dates of April 30 and July 7, 1945, by the Atlantic Food Packing Co., from Trenton, N. J.

**PRODUCT:** 1,083 cases and cartons, each containing 24 1-pint bottles, and 258 1-pint bottles of imitation fruit flavoring sirups, in various lots, at Philadelphia and Pittsburgh, Pa., Lawrence, Mass., and Olean, N. Y. Samples of these products were found to be fermented and decomposed.

**LABEL, IN PART:** "Imitation Cherry [or "Strawberry," "Grape," "Raspberry," "Root Beer," or "Punch"] Frute-Ade Syrup."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of decomposed substances.

**DISPOSITION:** April 22, June 3 and 7, and September 4, 1946. No claimants having appeared, judgments of condemnation were entered and the products were ordered destroyed.

**10905. Adulteration of imitation fruit sirups. U. S. v. 84 Cases \* \* \*. (F. D. C. No. 19247. Sample No. 5511-H.)**

**LIBEL FILED:** February 25, 1946, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about December 1, 1945, by A. A. Freund, from Buffalo, N. Y.

**PRODUCT:** 84 cases, each containing 24 pint bottles, of imitation fruit sirups at Manayunk, Pa. Examination showed that the products were fermented.

**LABEL, IN PART:** "Imitation Strawberry [or "Orange," "Raspberry," or "Cherry"] Frute-Ade Syrup 1 Pint Made By Atlantic Food Packing Co. Trenton, N. J."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in whole or in part of decomposed substances.

**DISPOSITION:** March 26, 1946. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

**10906. Adulteration of beverage bases. U. S. v. 2 Barrels \* \* \* (and 4 other seizure actions).** (F. D. C. Nos. 19601, 19789, 19790, 20000, 20228. Sample Nos. 45438-H, 45556-H to 45559-H, incl., 51201-H, 57102-H, 57105-H, 59006-H.)

**LIBELS FILED:** Between the dates of April 23 and June 7, 1946, Northern District of California and Districts of Minnesota, Montana, and Massachusetts.

**ALLEGED SHIPMENT:** Between the approximate dates of July 2, 1945, and March 21, 1946, by C. O. and W. D. Sethness Co., from Chicago, Ill.

**PRODUCT:** Beverage bases. 2 10-gallon barrels at Red Wing, Minn., 16 1-gallon jugs and 5 1-gallon jugs at San Francisco and Stockton, Calif., respectively, 8 1-gallon bottles at Havre, Mont., and 2 1-gallon bottles at Swampscott, Mass.

**LABEL, IN PART:** "Cosco Grape," "Cosco Golden Dawn Lemonade," "Cosco Dairy Orange," "Cosco Imitation Cherry Soda Water Flavor," "Cosco Orange \* \* \* Concentrate," or "Cosco Golden Dawn Orange Base."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (2), the articles contained an added poisonous and deleterious substance, monochloroacetic acid, which is unsafe within the meaning of the law since it is a substance not required in the production of the articles and could have been avoided by good manufacturing practice.

**DISPOSITION:** Between the dates of June 19 and October 21, 1946. No claimant having appeared for any of the lots, judgments of condemnation were entered and the products were ordered destroyed.

**10907. Misbranding of beverage stabilizer. U. S. v. 3 Jugs \* \* \*. (F. D. C. No. 19621. Sample No. 46076-H.)**

**LIBEL FILED:** April 15, 1946, Northern District of California.

**ALLEGED SHIPMENT:** On or about May 3, 1945, by the Penrith-Akers Manufacturing Co., from Minneapolis, Minn.

**PRODUCT:** 3 1-gallon jugs of beverage stabilizer at Sacramento, Calif.

**LABEL, IN PART:** "P. and A. Brand Gallon Pacex A Stabilizer containing water, salts, and esters of monochloroacetic acid."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the labeling was misleading since the trade name "Pacex" coupled with the directions for use represented to purchasers that the article was wholesome and suitable for use as a component of beverage sirup and beverage for man. The article contained per 100 cc. about 6 grams of monochloroacetic acid, which is a poisonous and deleterious substance, and the labeling failed to reveal the material fact that the product contained a poisonous and deleterious substance.

**DISPOSITION:** June 26, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

## CEREALS AND CEREAL PRODUCTS

### BAKERY PRODUCTS

**10908. Adulteration of bakery products. U. S. v. Robert M. Lehman (Cake Box Products). Plea of nolo contendere. Fine, \$300.** (F. D. C. No. 19536. Sample Nos. 44044-H, 44045-H, 44167-H to 44170-H, incl.)

**INFORMATION FILED:** May 29, 1946, Southern District of California, against Robert M. Lehman, trading as Cake Box Products, Los Angeles, Calif.