DISPOSITION: October 17, 1946. The Waverly Sales Corp., 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 to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

11356. Adulteration and misbranding of maple sirup. U. S. v. 74 Cases * * *. (F. D. C. No. 20522. Sample No. 42846–H.)

LIBEL FILED: July 15, 1946, Western District of Virginia.

ALLEGED SHIPMENT: On or about May 20, 1946, by Zall and Levinson, from Newark, N. J.

PRODUCT: 74 cases, each containing 4 1-gallon jars, of maple sirup at Hot Springs, Va.

LABEL, IN PART: "Vermont Maple Syrup Pure."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, maple sirup, had been in whole or in part omitted from the article; Section 402 (b) (2), an artificially flavored and colored sugar sirup containing little, if any, maple sirup had been substituted in whole or in part for maple sirup; Section 402 (b) (3), inferiority had been concealed by the addition of artificial flavoring and coloring; and, Section 402 (b) (4), artificial flavoring and coloring had been added to the article and mixed and packed with it so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (a), the label statement "Vermont Maple Syrup Pure" was false and misleading; Section 403 (e), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 403 (i) (2), the label failed to bear the common or usual name of each ingredient; and, Section 403 (k), the article contained artificial flavoring, artificial coloring, and a chemical preservative, and it failed to bear labeling stating that fact.

DISPOSITION: September 21, 1946. Virginia Hot Springs, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled to conform with the law, under the supervision of the Federal Security Agency.

11357. Adulteration of maple sirup. U. S. v. 23 Cans * * *. (F. D. C. No. 20397. Sample No. 46312–H.)

LIBEL FILED: July 16, 1946, Northern District of California.

ALLEGED SHIPMENT: On or about May 4, 1946, by Zall and Levinson, from Newark, N. J.

PRODUCT: 23 1-gallon cans of maple sirup at San Francisco, Calif.

LABEL, IN PART: "Vermont Maple Syrup Pure."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance; and, Section 402 (b) (2), an artificially flavored sugar sirup, containing little, if any, maple sirup, had been substituted in whole or in part for maple sirup.

DISPOSITION: October 2, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11358. Adulteration of strawberry sirup. U. S. v. 90 Cases * * *. (F. D. C. No. 20652. Sample No. 59189–H.)

LIBEL FILED: August 13, 1946, Eastern District of Washington.

ALLEGED SHIPMENT: On or about July 11, 1946, by the California Fruit Chimes Co., San Gabriel, Calif.

PRODUCT: 90 cases, each containing 24 pint jars, of strawberry sirup at Spokane, Wash. Examination showed that the product was undergoing active decomposition.

LABEL, IN PART: "Mission Chimes Strawberry Waffle & Hot Cake Syrup."

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

DISPOSITION: October 8, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.