

DISPOSITION: November 5, 1945. The Old Dutch Brewers, 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 the contents be destroyed and that the bottles and cases be salvaged under the supervision of the Food and Drug Administration.

10516. Misbranding of 505 Fermentation Inhibitor. U. S. v. 3 Bottles * * *
(F. D. C. No. 18011. Sample No. 24753-H.)

LIBEL FILED: October 23, 1945, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about November 12, 1942, by the Sethness Products Co., Chicago, Ill.

PRODUCT: 3 bottles of 505 Fermentation Inhibitor at New Iberia, La. Examination showed that the product contained per 100 cc. 34 grams of monochloroacetic acid, a poisonous and deleterious substance.

LABEL, IN PART: "Double Strength 505 Fermentation Inhibitor Contains: Water Acetic Derivatives, Food Acids, and Esters and Ethers of Monochloroacetic acid. Use: To be used in Acid products to prevent lactic and alcoholic fermentation and the growth or multiplication of yeast bacteria. Net Contents One Gallon."

NATURE OF CHARGE: Misbranding, Section 403 (a), the libel charged that the label of the article was misleading.

For the nature of charge against substantially the same product, see the following notice of judgment, No. 10517, which reports seizure and disposition of a product containing about the same amount of monochloroacetic acid.

DISPOSITION: December 27, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10517. Misbranding of Stabilizer 505. U. S. v. 15 and 4 Bottles * * *
(F. D. C. Nos. 18012, 18013. Sample No. 24874-H.)

LIBELS FILED: October 24, 1945, Southern District of Texas.

ALLEGED SHIPMENT: On or about August 9, 1945, by the Sethness Products Co., Chicago, Ill.

PRODUCT: 19 bottles of beverage stabilizer at Houston, Tex.

LABEL, IN PART: "Stabilizer 505 An aqueous solution of Purified Monochloroacetic Acid, its salts and esters, salt and certified food color For Manufacturing Use Only * * * Net contents one gallon."

NATURE OF CHARGE: Misbranding, Section 403 (a), the labeling was misleading since the trade mark "Stabilizer 505" coupled with directions for use appearing in the labeling, represented to purchasers that the article was wholesome and suitable for use as a component of beverages for man, whereas it contained about 31 grams of monochloroacetic acid per 100 cc., which is a poisonous and deleterious substance. Furthermore, the labeling failed to reveal the material fact in the light of the representations made therein that the product contained a poisonous and deleterious substance.

DISPOSITION: June 26, 1946. The shipper, the sole intervener, having withdrawn its claim, judgment of condemnation was entered and the product was ordered destroyed.

10518. Misbranding of Effect-O Stabilizer, Stabilizer No. 1295, and Beveco Stabilizer. U. S. v. 3 Bottles of Effect-O (and 2 other seizure actions).
(F. D. C. Nos. 16020, 19961, 20333. Sample Nos. 5532-H, 28822-H, 56879-H, 56880-H.)

LIBELS FILED: Between May 25, 1945, and June 19, 1946, Western District of Washington, District of Nebraska, and District of Rhode Island.

ALLEGED SHIPMENT: Between the approximate dates of May 11, 1944, and May 22, 1946, by the Chandler Laboratories, from Philadelphia, Pa.

PRODUCT: 3 1-gallon bottles of Effect-O Stabilizer at Seattle, Wash., 10 1-gallon jugs of Stabilizer No. 1295 at Providence, R. I., and 4 1-gallon jugs of Beveco Stabilizer at Chadron, Nebr. Examination showed that the Effect-O Stabilizer contained about 13 percent of monochloroacetic acid, that the Stabilizer No. 1295 contained approximately 17 percent of monochloroacetic acid, and that the Beveco Stabilizer contained about 0.47 percent of quaternary ammonium compound.