being fermented; and, Section 402 (b) (2), an article containing less soluble solids than pancake sirup had been substituted for pancake sirup.

Both products. Misbranding, Section 403 (e) (2), the articles failed to bear labels containing accurate statements of the quantity of the contents. (The products were short-volume.)

DISPOSITION: June 13, 1947. No claimant having appeared, judgments were entered ordering both products destroyed.

12469. Adulteration of sirup. U. S. v. 145 Cartons * * *. (F. D. C. No. 21757. Sample No. 32178–H.)

LIBEL FILED: November 21, 1946, Southern District of California.

ALLEGED SHIPMENT: On or about September 13, 1946, by the Peninsula Distributing Co., from Bremerton, Wash.

PRODUCT: 145 cartons, each containing 24 1-pint jars, of sirup at Los Angeles, Calif. Examination showed that the product was undergoing fermentation.

LABEL, IN PART: "Mission Chimes Strawberry Waffle & Hot Cake Syrup California Fruit Chimes Co. San Gabriel, Calif."

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

DISPOSITION: February 28, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12470. Misbranding of sirup. U. S. v. 20 Cases * * *. (F. D. C. No. 23718. Sample No. 4442–K.)

LIBEL FILED: September 25, 1947, District of New Hampshire.

ALLEGED SHIPMENT: On or about April 29, 1947, by the Harman Products Co., from Bushwick, N. Y.

PRODUCT: 20 cases, each containing 24 16-ounce bottles, of sirup at Manchester, N. H.

LABEL, IN PART: "Maplekist Syrup Contents 16 Fluid Oz."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a dilute solution of water, sugar or sugars, gums, artificial flavor, and benzoate of soda, containing less sugars than are contained in maple sirup, had been subtituted for maple sirup, which the article purported to be, since it had the appearance and a slight flavor of maple sirup, and the name "Maplekist" suggested that the article was maple sirup.

Misbranding, Section 403 (a), the label designation "Maplekist Syrup" was misleading; and, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The bottles contained less than the amount declared.)

DISPOSITION: December 15, 1947. Default decree of condemnation. The product was ordered delivered to a public institution.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, **Nos. 12471 to 12480**; that was below the legal standard for milk fat content, **Nos. 12481 to 12488**; and that was short of the declared weight, **No. 12488.**

12471. Adulteration of butter and process cheese. U. S. v. Frank Pilley & Sons, Inc., and Frank E. Pilley, Jr., Mark A. Pilley, Jacob W. Teubel, William Christianson, and Scott J. Davis. Pleas of guilty. Corporation fined $1,600 and costs; individual defendants each fined $40. (F. D. C. No. 22028. Sample Nos. 3299–H, 3300–H, 51443–H to 51446–H, incl., 51555–H, 51580–H, 63800–H, 64802–H.)

INFORMATION FILED: April 29, 1947, Northern District of Iowa, against Frank Pilley & Sons, Inc., Sioux City, Iowa, and Frank E. Pilley, Jr., president of the corporation, Mark A. Pilley, vice president, and Jacob W. Teubel, William Christianson, and Scott J. Davis.

ALLEGED SHIPMENT: Between the approximate dates of August 27 and October 8, 1946, from the State of Iowa into the States of Maryland, New York, and South Dakota.