13004. Misbranding of beverage stabilizer. U. S. v. 22 Jugs * * *. (F. D. C. No. 20533. Sample No. 49408–H.)

LIBEL FILED: January 31, 1947, Northern District of Texas.

ALLEGED SHIPMENT: On or about February 23 and March 16, 1946, by Theo Nett & Co., from Chicago, Ill.

PRODUCT: 22 1-gallon jugs of beverage stabilizer at Wichita Falls, Tex.

LABEL, IN PART: "Hi-Lo Topsy Stabilizer Ingredients: Sodium Chloride, Ammonium Chlorides, Alkyl, Dimethyl, Benzyl and Water. Directions: Use ½ oz. to each gallon of Bottling Syrup. Net Contents 1 Gal."

NATURE OF CHARGE: Misbranding, Section 403 (a), the labeling of the article was misleading, since the statement appearing on the label, "Topsy Stabilizer * * * Directions: Use ½ oz. to each gallon of Bottling Syrup," represented to purchasers that the product was wholesome and suitable for use as a component of foods for man. The product contained per 100 cc. about 1.30 grams of quaternary ammonium compound, which is a poisonous and deleterious substance, and the labeling failed to reveal the material fact in the light of the representations made on the label, that the product contained a poisonous and deleterious substance.

DISPOSITION: March 24, 1947. Default decree of condemnation and destruction.

13005. Misbranding of Syro. U. S. v. 15 Cases * * *. (F. D. C. No. 22472. Sample No. 61788–H.)

LIBEL FILED: February 7, 1947, Eastern District of Washington.

ALLEGED SHIPMENT: On or about August 16 and 28, 1946, by Chandler Laboratories, Inc., from Philadelphia, Pa.

PRODUCT: 15 cases, each containing 12 1-quart bottles, of Syro at Spokane, Wash. Analysis showed that the product was essentially a solution of table salt, with small quantities of other ingredients.

LABEL, IN PART: "Syro A Sugar Intensifier * * * Ingredients: Sodium Chloride, Propylene Glycol, Phosphoric Acid, Sodium Sulphate and Certified Color."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements, "A Sugar Intensifier * * * To make syrup, using Syro, use 10% less sugar than usual to make the same volume of syrup. Then add Exactly ⅛ ounce diluted Syro for each gallon finished syrup or use usual amount of sugar and enough water to increase final volume of finished syrup 10%. Then add Exactly ⅛ ounce diluted Syro for each gallon finished syrup," were misleading. These statements represented and suggested and created the impression that the article was an effective substitute for a part of the normal sugar content of sugar sirup, whereas the article was without value for such purpose.

DISPOSITION: April 1, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

13006. Adulteration of bakery products. U. S. v. Allied Baking Co. and Frank B. Grinnell. Pleas of guilty. Fines, $400 against company and $100 against individual. (F. D. C. No. 23335. Sample Nos. 57238–H, 57241–H to 57243–H, incl., 57246–H.)

INFORMATION FILED: April 14, 1948, District of Massachusetts, against the Allied Baking Co., a corporation, Springfield, Mass., and Frank B. Grinnell, president of the corporation.

ALLEGED SHIPMENT: On or about November 5, 7, 12, and 14, 1946, from the State of Massachusetts into the State of Connecticut.

LABEL, IN PART: "A B C Loaf Cake [or "Hermits," "Coffee Cake," or "Rye Bread"]."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of insect fragments and rodent hair fragments; and, Section 402 (a) (4), they had been prepared and