MISCELLANEOUS SACCHARINE PRODUCTS

13066. Adulteration and misbranding of maple sirup. U. S. v. Joseph A. O'Melia. Plea of guilty. Fine, $150. (F. D. C. No. 23271. Sample Nos. 66575–H, 66670–H, 66674–H.)

INFORMATION FILED: January 8, 1948, Eastern District of Pennsylvania, against Joseph A. O'Melia, Lawndale (Philadelphia), Pa.

ALLEGED SHIPMENT: Between the approximate dates of February 20 and May 20, 1947, from the State of Pennsylvania into the States of Delaware and New Jersey.

PRODUCT: Two of the shipments were invoiced "Maple Syrup." The remaining shipment was represented to be maple sirup by oral representations of the defendant.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, maple sirup, had been in part omitted; Section 402 (b) (2), partially inverted sugar sirup artificially flavored and artificially colored with little or no maple sirup had been substituted for maple sirup; Section 402 (b) (3), the article was inferior to maple sirup, and its inferiority had been concealed by the addition of artificial flavor and artificial color; and, Section 402 (b) (4), artificial flavor and artificial color had been added, mixed, and packed with the article so as to make it appear to be maple sirup.

Misbranding, Sections 403 (e) (1) and (2), the product 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) (1), the label failed to bear the common or usual name of the food; and, Section 403 (i) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient.

DISPOSITION: March 19, 1948. A plea of guilty having been entered, the defendant was fined $150.

13067. Adulteration of sorghum grain sirup. U. S. v. 38 Barrels, etc. (F. D. C. No. 22510. Sample No. 50860–H.)

LIBEL FILED: February 11, 1946, District of Minnesota.

ALLEGED SHIPMENT: Between the approximate dates of November 17 and December 18, 1946, by Grain Derivatives Corp., from Louisville, Ky.

PRODUCT: 578 barrels of sorghum grain sirup at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of sorghum grain sirup with rust, soot, lacquer, and other foreign material had been substituted for sorghum grain sirup, which the product was represented to be.

DISPOSITION: March 4, 1947. The Grain Derivatives Corp., claimant, having consented to the entry of a decree, 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. The sirup was brought into compliance with the law by straining.

13068. Misbranding of sirup. U. S. v. 18 Cases * * *. (F. D. C. No. 23806. Sample No. 18118–K.)

LIBEL FILED: October 10, 1947, Eastern District of Tennessee.

ALLEGED SHIPMENT: On or about April 18, 1947, by the Rainbow Syrup Co., from Gadsden, Ala.

PRODUCT: 18 cases, each containing 6 bottles, of sirup at Chattanooga, Tenn.

LABEL, IN PART: "Rainbow [or "Crystal"] Syrup * * * Composed of Corn Syrup, Sugar and Honey Number 5."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (No statement of the quantity of the contents appeared on the label.)

DISPOSITION: December 30, 1947. Default decree of condemnation and destruction. (Editor's note: In addition to being misbranded, the product was moldy and unfit for food.)

13069. Misbranding of sirup. U. S. v. 2 Cases * * *. (F. D. C. No. 24387. Sample No. 4355–K.)

LIBEL FILED: On or about March 18, 1948, District of Maine.

ALLEGED SHIPMENT: On or about December 9, 1947, by the Chas. Malone Co., from Cambridge, Mass.