

DISPOSITION: May 20, 1948. A plea of guilty having been entered, the defendant was fined \$150.

13508. Adulteration of cola sirup. U. S. v. 47 Jars * * *. (F. D. C. No. 22112. Sample No. 54339-H.)

LIBEL FILED: December 23, 1946, Middle District of North Carolina.

ALLEGED SHIPMENT: On or about November 4, 1946, by Flavour Industries, Inc., from Chicago, Ill.

PRODUCT: 47 1-gallon jars of sirup at Biscoe, N. C.

LABEL, IN PART: "Leola Cola Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), saccharin, having no food value, had been added to the article and mixed therewith so as to reduce its quality or strength and make it appear to be a fountain sirup sweetened with sugar, which is better and of greater value than the article was.

DISPOSITION: March 21, 1947. Default decree of condemnation and destruction.

13509. Adulteration and misbranding of grape juice. U. S. v. Lillian Goodman and Hyman Goodman (Goodman Products Co.). Pleas of nolo contendere. Fine of \$1,600 against each defendant. (F. D. C. No. 14299. Sample No. 76220-F.)

INFORMATION FILED: March 11, 1946, Eastern District of New York, against Lillian Goodman and Hyman Goodman, partners, trading as the Goodman Products Co., Brooklyn, N. Y.

ALLEGED SHIPMENT: On or about April 21, 1944, from the State of New York into the State of New Jersey.

LABEL, IN PART: "Paradise Brand Cont. 1 Fl. Quart Pure Concord Grape Juice Sugar Added Packed By Paradise Packing Co. 68 Jay St. Brooklyn, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a phosphated and sweetened mixture of grape juice and water had been substituted in whole or in part for "Grape Juice Sugar Added," which the article was represented to be; and, Section 402 (b) (4), water had been added to the article and had been mixed and packed with it so as to reduce its quality and strength.

Misbranding, Section 403 (a), the label statements "Pure Concord Grape Juice Sugar Added. This Grape Juice is the Pure Juice of the Ripe Concord Grape" were false and misleading, since the article did not consist of pure Concord grape juice, but did consist of a phosphated and sweetened mixture of grape juice and water; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents, since the bottles of the article contained less than one fluid quart, the amount declared on the labels.

DISPOSITION: The defendants having entered a plea of not guilty, the case came on for trial on May 14, 1947, and continued through May 15 and 16. Before the completion of the trial the defendants offered pleas of nolo contendere, which were accepted by the court. On May 29, 1947, the court imposed a sentence of \$1,600 against each defendant.

13510. Adulteration of pineapple juice. U. S. v. 313 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 24472, 24636, 24948. Sample Nos. 14866-K, 14914-K, 18553-K.)

LIBELS FILED: On or about March 11, May 21, and June 15, 1948, Southern District of Indiana and Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 16 and 18 and October 6, 1947, and February 2, 1948, from Lawrenceburg, Ind., and New York, N. Y., by Schenley Affiliates, the Schenley Distributing Co., and the Schenley Distilling Corp.

PRODUCT: Pineapple juice. 313 cases at Hines, Ill., 2,492 cases at Lawrenceburg, Ind., and 12 cases at Cicero, Ill. Each case contained 6 cans.

LABEL, IN PART: "Pineapple Juice Blue Diamond Brand Contents 2 Qts. 1 Pt. 15 Fl. Ozs. Packed by Corozal Canning Co., Inc., Corozal, Puerto Rico."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of filthy and decomposed substances by reason of the presence of fly eggs, maggots, decomposed pineapple material, and moldy pineapple juice.

DISPOSITION: September 8 and 24 and October 27, 1948. Default decrees of condemnation and destruction.

13511. Adulteration of tomato juice. U. S. v. Charles A. Shuttleworth (Salamonie Packing Co.). Plea of guilty. Fine, \$400 and costs. (F. D. C. No. 20467. Sample Nos. 10686-H, 14041-H, 14487-H, 35005-H.)

INFORMATION FILED: August 27, 1946, Northern District of Indiana, against Charles A. Shuttleworth, trading as the Salamonie Packing Co., Warren, Ind.

ALLEGED SHIPMENT: On or about September 20 and 29 and October 3, 1945, from the State of Indiana into the States of Ohio, Missouri, and New York.

LABEL, IN PART: "Leadway Tomato Juice * * * Packed for Leadway Foods Chicago, Ill. San Francisco, Calif.," "Weideman Boy Brand Tomato Juice The Weideman Co. Distributors—Cleveland, O.," or "Salamonie Tomato Juice Packed by Salamonie Packing Co. Warren, Ind."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: May 28, 1948. A plea of guilty having been entered, the defendant was fined \$400 and costs.

13512. Adulteration of tomato juice. U. S. v. 134 Cases * * *. (F. D. C. No. 24397. Sample No. 28148-K.)

LABEL FILED: January 7, 1948, Northern District of Texas.

ALLEGED SHIPMENT: On or about October 13, 1947, by the Colo-Flavor Products Co., Palisade, Colo.

PRODUCT: 134 cases, each containing 12 1-quart, 14-ounce cans, of tomato juice at Amarillo, Tex.

LABEL, IN PART: "Red & White Brand Tomato Juice Contents 1 Quart 14 Fld. Oz."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance and was unfit for food by reason of the presence of fly eggs and maggots; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 6, 1948. Default decree of condemnation and destruction.

13513. Adulteration and misbranding of tomato juice. U. S. v. 1,344 Cases * * *. (F. D. C. No. 24656. Sample No. 6450-K.)

LABEL FILED: May 28, 1948, Western District of New York.

ALLEGED SHIPMENT: On or about March 19 and 23, 1948, by United Public Markets, Inc., from Pawtucket, R. I. These were return shipments.

PRODUCT: 1,344 cases, each containing 12 46-fluid-ounce cans, of tomato juice at Egypt, N. Y.

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

Misbranding, Section 403 (g) (1), the product fell below the definition and standard of identity for canned tomato juice, since it had not been processed by heat so as to prevent spoilage.

DISPOSITION: August 3, 1948. Default decree of condemnation and destruction.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

13514. Adulteration of bread. U. S. v. Chambersburg Baking Co. Plea of nolo contendere. Fine, \$225; payment of \$75 of fine suspended. Defendant placed on probation for 1 year. (F. D. C. No. 24803. Sample Nos. 3432-K to 3434-K, incl.)

INFORMATION FILED: July 2, 1948, Middle District of Pennsylvania, against the Chambersburg Baking Co., a corporation, Chambersburg, Pa.

ALLEGED SHIPMENT: On or about March 17, 1948, from the State of Pennsylvania into the State of Maryland.

LABEL, IN PART: "Capital Mother's Enriched * * * Manufactured and Packed By Capital Bakers, Inc. Harrisburg, Penna."