

**PRODUCT:** 2,582 cases, each containing 48 bottles, of beverage bases at Los Angeles, Calif.

**LABEL, IN PART:** "Holler's Orange [or other flavors] Flavored Concentrate."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (4), artificial color in all of the flavors, and artificial flavor in the cherry, loganberry, raspberry, grape, and strawberry flavors, had been added to the articles and mixed and packed with them so as to make them appear to be beverage concentrates containing a substantial proportion of fruit juices, which concentrates are better and of greater value than were the articles.

Misbranding, Section 403 (a), the statement on the bottle labels, "Holler's flavors make delicious Jellies, Jams," and the statements in the recipe booklet enclosed in each case, "Recipe for Making \* \* \* Jelly \* \* \* This recipe makes one quart of delicious jelly," were misleading since the articles would not make jellies or jams. Further misbranding, Section 403 (a), the design of fruits on the cases and in the recipe booklet, and the statements on the bottle labels, "Orange [or "Lemon," "Lime," "Cherry," "Loganberry," "Raspberry," "Grape," or "Strawberry"] Flavored Concentrate," were misleading as applied to the articles, since the orange, lemon, and lime flavors consisted of artificially colored emulsions of water, acid, sugar, citrus peel oil, brominated vegetable oil, and vegetable gum, and the cherry, loganberry, raspberry, grape, and strawberry flavors consisted of artificially flavored and artificially colored solutions of water and acid, or acids.

**DISPOSITION:** April 12, 1945. Holler's Concentrated Beverages, claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the products were ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

**8805. Adulteration and misbranding of grape juice. U. S. v. 200 Cases of Grape Juice (and 3 other seizure actions against grape juice). Default decrees of condemnation and destruction. (F. D. C. Nos. 15712 to 15715, incl. Sample Nos. 6484-H to 6487-H, incl.)**

**LIBELS FILED:** March 26, 1945, District of New Jersey.

**ALLEGED SHIPMENT:** On or about February 22, 1945, by the Superior Packing Co., from New York, N. Y.

**PRODUCT:** 200 cases, 219 cases, and 100 cases, each containing 12 bottles, of grape juice at Hillside, Passaic, and Garfield, N. J., respectively.

**LABEL, IN PART:** "Capitol Brand Grape Juice Made From Concentrated Grape Juice Sugar Added. Cont. 32 Oz. Aurora Juices Packing Co., Distributors, Albany, N. Y."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), an artificially flavored and artificially colored mixture of water, sugar, and acid, or acids, had been substituted in whole or in part for grape juice; and, Section 402 (b) (4), artificial flavor and artificial color had been added to the product and mixed and packed with it so as to make it appear better or of greater value than it was.

Misbranding, Section 403 (a), the label statement, "Grape Juice Made From: Concentrated Grape Juice Sugar Added," was false and misleading; and, Section 403 (k), the grape juice contained artificial flavor and artificial color, and it failed to bear labeling stating that fact.

**DISPOSITION:** May 11, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**8806. Adulteration and misbranding of grape juice punch. U. S. v. 100 Cases of Grape Juice Punch. Default decree of condemnation and destruction. (F. D. C. No. 15764. Sample No. 11237-H.)**

**LIBEL FILED:** March 29, 1945, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about March 13, 1945, by the H & P Co., from Manchester, N. H. This was a return shipment.

**PRODUCT:** 100 cases, each containing 24 1-pint bottles, of grape juice punch at Cambridge, Mass.

**LABEL, IN PART:** (Bottles) "Concord Grape Juice Punch \* \* \* D. A. Perkins, Inc., \* \* \* Cambridge, Mass."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, grape juice, grape juice concentrate, orange, and raspberry, had been in whole or in part omitted from the article; and, Section 402 (b) (4), artificial flavor and artificial color had been added to the product and mixed and packed with it so as to make it appear better or of greater value than it was.