

showed that the article was an artificially flavored and colored mixture of water and sugar or sugars, containing added acid or acids. It contained no grape juice, grape juice concentrate, orange, or raspberry.

LABEL, IN PART: "Concord Grape Juice Punch Contains Water, Sugar, Grape Juice Concentrate, Orange, Raspberry, Tartaric Acid, Artificial Color $\frac{1}{10}$ of 1% Benzoate of Soda 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 flavoring and artificial coloring had been added to the article and mixed and packed with it so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (a), the label statements "Grape Juice Punch * * * Grape Juice Concentrate, Orange, Raspberry * * * use to make * * * jellies" were false and misleading as applied to an article containing no grape juice, grape juice concentrate, orange, or raspberry; and Section 403 (k), the article contained artificial flavoring and failed to bear labeling stating that fact.

DISPOSITION: October 15, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered delivered to a public institution.

11305. Misbranding of canned grapefruit juice, U. S. v. 96 Cases * * * (F. D. C. No. 19812. Sample No. 50960-H.)

LABEL FILED: May 2, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about February 6, 1946, by the E. S. Smith Co., Inc., from Wauchula, Fla.

PRODUCT: 96 cases, each containing 24 18-ounce cans, of grapefruit juice at Duluth, Minn.

LABEL, IN PART: "Vita-Nip Brand Unsweetened Grapefruit Juice * * * Distributed by Florida Fruit Cannery * * * Frost Proof Fla., U. S. Grade A (Fancy) Packed Under Continuous Inspection of the U. S. Dept. of Agriculture."

NATURE OF CHARGE: Misbranding, Section 403 (a), the design of two shields on the label and the statements "U. S." and "Packed Under Continuous Inspection of the U. S. Dept. of Agriculture" were misleading as applied to the article, which was not packed under the continuous inspection of the United States Department of Agriculture.

DISPOSITION: September 5, 1946. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

11306. Adulteration of canned orange juice. U. S. v. 398 Cases * * *. (F. D. C. No. 20052. Sample No. 60387-H.)

LABEL FILED: June 5, 1946, Western District of New York.

ALLEGED SHIPMENT: On or about April 20, 1946, by the E. S. Smith Co., Inc., from Fort Myers, Fla.

PRODUCT: 398 cases, each containing 12 1-quart, 14-fluid-ounce cans, of orange juice at Buffalo, N. Y.

LABEL, IN PART: "Russell's Tree Ripe Orange Juice * * * Packed By Russell & Decker Co. Main Office. Lakeland, Florida."

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

DISPOSITION: July 1, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11307. Adulteration of orange drink and ginger ale. U. S. v. Sam Drossner (Holly Beverages). Plea of guilty. Defendant fined \$250 and placed on probation for 1 year. (F. D. C. No. 20173. Sample Nos. 4756-H, 4762-H.)

INFORMATION FILED: November 27, 1946, District of New Jersey, against Sam Drossner, trading as Holly Beverages, Mount Holly, N. J.

ALLEGED SHIPMENT: On or about July 31 and August 4, 1945, from the State of New Jersey into the State of Pennsylvania.

LABEL, IN PART: "Orange Drink," "Holly Beverages," "A wholesome Beverage * * * Wenner Beverages Allentown, Pa.," or "Ginger Ale * * * Wenner Beverages."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent of the articles, sugar, had been in part omitted from them; Section 402 (b) (2), carbonated beverages sweetened in part with saccharin had been substituted wholly for carbonated beverages sweetened with sugar; and, Section 402 (b) (4), saccharin, a substance having no food value, had been added to the articles and mixed and packed with them so as to reduce their quality.

DISPOSITION: January 13, 1946. A plea of guilty having been entered, the court imposed a fine of \$250 and placed the defendant on probation for a period of 1 year.

11308. Adulteration of canned orange juice. U. S. v. 345 Cases * * *. (F. D. C. No. 20540. Sample Nos. 5333-H, 5334-H.)

LIBEL FILED: July 15, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 27, 1946, by Waldorf Food Products, per W. H. Cain and Co., from Savannah, Ga.

PRODUCT: 345 cases, each containing 6 3-quart cans, of orange juice at Philadelphia, Pa. Examination showed that the inside surface of the cans was badly corroded and that the product had a strong metallic and astringent taste.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of chemical interaction of the juice with the metal container, and was unfit for food by reason of its strong metallic and astringent taste, making the product unpalatable.

DISPOSITION: August 14, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11309. Misbranding of concentrated orange juice. U. S. v. 94 Cases * * *. (F. D. C. No. 20064. Sample No. 59299-H.)

LIBEL FILED: June 18, 1946, District of Oregon.

ALLEGED SHIPMENT: On or about March 30, 1946, by the H-M Canning Co., from Santa Ana, Calif.

PRODUCT: 94 cases, each containing 24 cans, of concentrated orange juice at Portland, Oreg. The product was found to be short-volume.

LABEL, IN PART: (Cans) "Sunfilled Brand Pure Concentrated California Orange Juice Contents 18 Fl. Oz. Distributed by Citrus Concentrates, Inc., Dunedin, Fla."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the label of the article failed to contain an accurate statement of the quantity of the contents.

DISPOSITION: July 8, 1946. Citrus Concentrates, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was relabeled.

11310. Adulteration of tomato juice. U. S. v. 954 Cases * * *. (F. D. C. No. 19856. Sample No. 25681-H.)

LIBEL FILED: May 14, 1946, District of Colorado.

ALLEGED SHIPMENT: On or about November 12, 1945, by the Hollister Canning Co., from Hollister, Calif.

PRODUCT: 954 cases, each containing 6 3-quart cans, of tomato juice at Denver, Colo.

LABEL, IN PART: "Hollister Tomato Juice."

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

DISPOSITION: May 28, 1946. The Hollister Canning Co. having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.