

Milk * * * are in it" were misleading, since they suggested that the product contained all ingredients, with the addition of water, to make coconut custard pie filling, whereas it was necessary to add sugar and milk to make such filling; Section 403 (d), the container of the article was so filled as to be misleading, because the powder mixture occupied only about 54 percent of the volume of the package.

DISPOSITION: May 26, 1947. Default decree of condemnation. The product was ordered delivered to charitable institutions.

12799. Misbranding of pudding mix. U. S. v. 49 Cases * * *. (F. D. C. No. 21841. Sample No. 52468-H.)

LIBEL FILED: December 9, 1946, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 21, 1946, by Russell Allied Industries, from Columbus, Ohio.

PRODUCT: 49 cases, each containing 29 2-ounce cartons, of pudding mix at Hanover, Pa. Examination showed that each carton of the product contained two paper bags of a powder mixture containing no sugar or dairy ingredient. The bags occupied only about 70 percent of the volume of the carton.

LABEL, IN PART: "So-Ezy Pie and Pudding Mix 2 Oz. or Over." The directions for use were printed in small type on the back panel of the carton.

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements, "So-Ezy Pie and Pudding Mix * * * Makes 2 Pies or 12 Servings Dessert * * * Unexcelled for pies, puddings, custards, cake fillings," were false and misleading because they failed to reveal conspicuously the material fact that expensive ingredients, sugar and milk, must be added; and, Section 403 (d), the container of the article was so filled as to be misleading.

DISPOSITION: February 10, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12800. Misbranding of Quik-Mix. U. S. v. 141 Cartons * * *. (F. D. C. No. 21593. Sample No. 5559-H.)

LIBEL FILED: October 30, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 28, 1946, by the Pallais Food Products Co., from Cleveland, Ohio.

PRODUCT: 141 cartons, each containing 48 1/8-ounce envelopes, of Quik-Mix at Philadelphia, Pa.

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements (carton) "Quik-Mix * * * Enough to make 4 pints * * * Ice Cream Any Flavor" and (envelope) "Quik-Mix Quik-Mix Easy to Make Enough to Make 4 Pints Ice Cream Healthful Nutritious * * * Any Flavor" were false and misleading as applied to the article, which was conspicuously represented as having components of ice cream but which failed to reveal with equal conspicuousness the fact that the article was only a stabilizer and that the expensive ingredients must be furnished by the purchaser; and, Section 403 (k), the article contained artificial flavoring and failed to bear labeling stating that fact.

DISPOSITION: January 14, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

INDEX TO NOTICES OF JUDGMENT F. N. J. NOS. 12601 TO 12800

PRODUCTS

	N. J. No.		N. J. No.
Alfalfa meal	12684	Beans, Mexican Style, canned	12716,
Anise seed	12743, 12744		12717
Apple(s)	12706	Beer	12601
butter	12746	Beverages and beverage mate-	
Apricots, canned	12700	rials	12601-12614, 12792
dried	12704	Bex	12768
Ar-O Inhibitor	12614	Blackberry jelly	12712
Baby food	12719	Blueberries, canned	12698
Bakery products	12615-12625	fresh and frozen	12707