

LABEL, IN PART: (Bottles) "Southern Grape Drink * * * Contains Pure Grape Juice, Refined Cane Syrup, Citric Acid, Water."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), artificial color and citric acid 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 designation "Grape Drink" was false and misleading as applied to the article, which was an artificially colored and acidulated beverage containing an insignificant amount of grape juice; and, Section 403 (k), the article contained artificial coloring and a chemical preservative, sodium benzoate, and failed to bear labeling stating that fact.

DISPOSITION: May 20, 1947. Default decree of condemnation and destruction.

12810. Adulteration and misbranding of Grape-Ade beverage. U. S. v. 74 Cases * * *. (F. D. C. No. 22643. Sample No. 50170-H.)

LIBEL FILED: March 21, 1947, Western District of Texas.

ALLEGED SHIPMENT: On or about October 19, 1946, by the Caltone Corporation, from Anaheim, Calif.

PRODUCT: 74 cases, each containing 24 1-pint, 2-ounce cans, of Grape-Ade at San Antonio, Tex. Examination showed that the product was an artificially flavored acidulated mixture of water, grape juice, and sugar.

LABEL, IN PART: "Caltone California Grape-Ade Contains Water, Grape Juice Concentrate, Fruit Acid, and Imitation Concord Grape Flavor."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), artificial flavor and acid 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 designation "Grape-Ade" and designs of clusters of grapes prominently displayed on the label of the article were misleading as applied to an artificially flavored, acidulated mixture of water, grape juice, and sugar.

DISPOSITION: May 27, 1947. No claimant having appeared, and the court having found that the product was adulterated and misbranded, an order was entered directing that the product be delivered for the use of charitable institutions.

12811. Adulteration and misbranding of grape juice. U. S. v. 45 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 23124, 23125. Sample Nos. 66790-H, 66791-H, 66793-H, 66794-H.)

LIBELS FILED: May 22, 1947, District of New Jersey.

ALLEGED SHIPMENT: On or about March 19 and 20, 1947, by Aunt Lil's Food Products, Inc., from Utica, N. Y.

PRODUCT: Grape juice. 45 cases at Hoboken, N. J., and 21 cases at Bayonne, N. J. Each case contained 12 1-quart bottles.

LABEL, IN PART: "Aunt Lil's Pasteurized Concord Grape Juice."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for grape juice; and, Section 402 (b) (4), water had been added to the article and mixed and packed with it so as to increase its bulk or weight and reduce its quality and strength.

Misbranding, Section 403 (a), the label statement "Concord Grape Juice * * * Sugar Added" was false and misleading as applied to an article containing added water; Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents, since the article was short-volume; and, Section 403 (i) (2), the label of the article failed to bear the common or usual name of each ingredient, since water was not declared.

DISPOSITION: July 21, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

12812. Adulteration of grape-flavored sirup. U. S. v. 3 Barrels * * *. (F. D. C. No. 23348. Sample Nos. 79501-H, 83377-H.)

LIBEL FILED: July 10, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about June 19, 1947, by the Isaly's Dairy Co., from Columbus, Ohio. This was a return shipment.