

DISPOSITION: March 10, 1947. South Dixon, trading as the South Dixon Distributing Co., claimant, Johnson City, Tenn., having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the contents be destroyed and the bottles salvaged under the supervision of the Food and Drug Administration.

13202. Adulteration and misbranding of grape drink. U. S. v. Army Packing Co., Inc., and Louis Blumenthal and Ralph Blumenthal. Pleas of guilty. Fines of \$100 against corporation, \$200 against Louis Blumenthal, and \$75 against Ralph Blumenthal. (F. D. C. No. 23268. Sample No. 90891-H.)

INFORMATION FILED: January 15, 1948, Northern District of New York, against the Army Packing Co., Inc., Utica, N. Y., Louis Blumenthal, president, and Ralph Blumenthal, secretary-treasurer.

ALLEGED SHIPMENT: On or about August 10, 1946, from the State of New York into the State of New Jersey.

LABEL, IN PART: "Southern Grape Drink."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), artificial color and citric acid had been added to and mixed and packed with the product so as to make it appear to be grape juice, which is better and of greater value than the product.

Misbranding, Section 403 (a), the statement "Grape Drink" displayed on the bottles was false and misleading. The statement represented and suggested that the product contained a significant amount of grape juice, whereas it was an artificially colored acidulated beverage, containing an insignificant amount of grape juice; and, Section 403 (k), the product contained artificial coloring and a chemical preservative, sodium benzoate, and failed to bear labeling stating that fact.

DISPOSITION: May 10, 1948. Pleas of guilty having been entered, the court imposed fines of \$100 against the corporation, \$200 against Louis Blumenthal, and \$75 against Ralph Blumenthal.

13203. Adulteration and misbranding of grape juice. U. S. v. Louis Blumenthal and Ralph Blumenthal (Aunt Lil's Food Products, Inc.). Pleas of guilty. Fines of \$900 against Louis Blumenthal and \$225 against Ralph Blumenthal. (F. D. C. No. 23269. Sample Nos. 66790-H, 66791-H, 66793-H, 66794-H, 87778-H.)

INFORMATION FILED: January 15, 1948, Northern District of New York, against Louis Blumenthal and Ralph Blumenthal, at the time of the shipments charged, president and secretary-treasurer, respectively, of Aunt Lil's Food Products, Inc., Utica, N. Y.

ALLEGED SHIPMENT: On or about March 19 and 20 and June 11, 1947, from the State of New York into the State of New Jersey.

LABEL, IN PART: "Aunt Lil's Pasteurized Concord Grape Juice * * * Aunt Lil's Food Products, Inc. Utica, New York," or "Grape Valley Pasteurized Concord Grape Juice * * * Manufactured By Grape Valley Juice Co., Inc. Utica, N. Y."

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

Misbranding, Section 403 (a), the statements "Grape Juice * * * Sugar Added," borne on the labels, were false and misleading, since they represented and suggested that the article consisted of grape juice and sugar, whereas it consisted of grape juice and sugar with added water; and, Section 403 (e) (2), the product was in package form and failed to bear a label containing an accurate statement of the quantity of the contents, since the label bore the statement "Contents One Quart," whereas the bottles contained less than 1 quart.

DISPOSITION: May 10, 1948. Pleas of guilty having been entered on behalf of the defendants, the court imposed a fine of \$900 against Louis Blumenthal and \$225 against Ralph Blumenthal.