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FEDERAL SECURITY AGENCY
FOOD AND DRUG ADMINISTRATION

**NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG,
 AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

14751-14800

FOODS

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Federal Security Agency. Published by direction of the Federal Security Administrator.

PAUL B. DUNBAR, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *January 3, 1950.*

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BEVERAGES AND BEVERAGE MATERIALS

14751. Adulteration of wine. U. S. v. Western Wine Corp. and David H. Godlis.
 Pleas of not guilty. Tried to the court. Defendants found guilty; each
 fined \$150 and costs. (F. D. C. No. 26347. Sample Nos. 2744-K, 40309-K.)

INFORMATION FILED: February 28, 1949, District of Maryland, against the West-
 ern Wine Corp., Baltimore, Md., trading under the names of the Western Wine
 Corp. and the Vintage Wines Co., and David H. Godlis, president.

ALLEGED SHIPMENT: On or about August 11 and November 11, 1948, from the
 State of Maryland into the District of Columbia.

LABEL, IN PART: "Old Mission Brand * * * Sherry [or "Port" or "Mus-
 catel"] Wine" and "D. H. G. Brand * * * Port Wine."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), (portion) the product consisted in part of a filthy substance by reason of the presence of fruit flies, fly pupae, insect fragments, mites, and aphids; and, Section 402 (a) (4), (all lots) it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 9, 1949. Pleas of not guilty having been entered, the case was tried before the court. The defendants were found guilty and each was fined \$150, together with costs.

14752. Misbranding of Bevco Stabilizer. U. S. v. 7 Bottles * * * (and 5 other seizure actions). F. D. C. Nos. 26272, 26390, 26395, 26396, 26412, 26471. Sample Nos. 1084-K, 7498-K, 7499-K, 23912-K, 23934-K, 45713-K.)

LIBELS FILED: January 7, 10, 11, 18, and 20, 1949, Southern District of Alabama, Northern District of Alabama, Eastern District of Missouri, Western District of New York, and Southern District of Florida.

ALLEGED SHIPMENT: On or about July 22, August 26, September 7, 10, 22, and 27, and December 6, 1948, by Chandler Laboratories, Inc., from Philadelphia, Pa.

PRODUCT: Bevco Stabilizer. 7 1-gallon bottles at Mobile, Ala., 8 1-gallon bottles at Manchester, Mo., 4 1-gallon bottles at North Tonawanda, N. Y., 8 1-gallon bottles at Tonawanda, N. Y., 11 1-gallon bottles at Miami, Fla., and 11 1-gallon bottles at Birmingham, Ala.

LABEL, IN PART: "Bevco Stabilizer Directions: Use $\frac{1}{2}$ ounce to each gallon of prepared syrup or to 6 gallons of finished product. * * * contains less than $2\frac{1}{2}\%$ pure quaternary ammonium chloride. * * * is not a finished food product and is for manufacturing use only."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Bevco," coupled with the directions for use, was misleading since it represented to purchasers that the article was wholesome and suitable for use as a component of beverages for man, whereas the product contained a quaternary ammonium compound, which is a poisonous and deleterious substance, and the labeling failed to reveal that fact.

DISPOSITION: February 7 and 17, March 1, and 3, and April 14, 1949. Default decrees of condemnation and destruction.

14753. Misbranding of Bevco Stabilizer. U. S. v. 7 Bottles * * *. (F. D. C. No. 26277. Sample No. 42412-K.)

LIBEL FILED: February 9, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 26 and August 25, 1948, by Chandler Laboratories, Inc., from Philadelphia, Pa.

PRODUCT: 7 1-gallon bottles of Bevco Stabilizer at Rockford, Ill.

LABEL, IN PART: "Bevco Stabilizer * * * Directions: Use $\frac{1}{2}$ ounce to each gallon of prepared syrup or to 6 gallons of finished product. * * * contains less than $2\frac{1}{2}\%$ pure quaternary ammonium chloride. * * * is not a finished food product and is for manufacturing use only."

NATURE OF CHARGE: Misbranding, Section 403 (a), the labeling was misleading since the trade name "Bevco," coupled with the directions for use, represented to purchasers that the article was wholesome and suitable for use as a com-