

BEVERAGES AND BEVERAGE MATERIALS

21551. Adulteration of orange-flavored base. U. S. v. 16 Jugs * * *. (F. D. C. No. 36569. Sample No. 66374-L.)

LIBEL FILED: May 13, 1954, Northern District of Illinois.

ALLEGED SHIPMENT: On or about April 27, 1954, from Kaukauna, Wis. This was a return shipment.

PRODUCT: 16 jugs of orange-flavored base at Chicago, Ill.

LABEL, IN PART: (Jug) "Harvest Sun Net Contents 1 Gallon * * * Dalee Breakfast Orange Flavored Base 1 To 20."

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the article contained an added poisonous and deleterious substance, quaternary ammonium compound, which is unsafe within the meaning of the law since it is a substance not required in the production of the article and can be avoided by good manufacturing practice.

DISPOSITION: September 10, 1954. Default decree of condemnation and destruction.

21552. Adulteration and misbranding of coffee. U. S. v. 724 Pounds * * *. (F. D. C. No. 36559. Sample No. 80470-L.)

LIBEL FILED: May 6, 1954, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: Prior to March 29, 1954, quantities of roasted barley and coffee and coffee chaff were shipped from outside the State of Pennsylvania to Philadelphia, Pa., where the products were blended by the Selco Coffee Co., with a coffee substitute product known as "Covee" to form the product which was the subject of the seizure.

PRODUCT: 724 pounds of coffee at Philadelphia, Pa., in possession of the Selco Coffee Co. A portion of the product was packaged in 1-pound bags labeled as described below. Examination showed that the product was a mixture of chicory, barley, and soybeans, with less than 30 percent of ground roasted coffee and coffee chaff.

LABEL, IN PART: (Bag) "Good-Land Brand 100% Fresh Roasted Coffee Blended with Soy Beans, Malted Barley, Cereals & Chickory for Flavor. Max Factor, Distributor Philadelphia, Pa. One Pound Net Weight."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and insect fragments; and, Section 402 (b) (2), a mixture of chicory, barley, and soybeans, with less than 30 percent of ground roasted coffee and coffee chaff had been substituted in whole or in part for coffee, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "100% Fresh Roasted Coffee" was false and misleading as applied to a mixture of chicory, barley, and soybeans, with less than 30 percent of coffee and coffee chaff; and, Section 403 (i) (2), the article contained coffee chaff and failed to bear a label stating that fact.

The article was adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: July 14, 1954. Default decree of condemnation and destruction.