

BEVERAGES AND BEVERAGE MATERIAL

26301. Orange drink and grape drink. (F.D.C. No. 43939. S. Nos. 74-112/3 P.)

QUANTITY: 178 cases, 6 2-qt. btls. each, of orange drink and 325 cases, 6 2-qt. btls. each, of grape drink, at Shreveport, La.

SHIPPED: 6-17-59 and 9-4-59, from Dallas, Tex., by Jus-Made, Inc.

LABEL IN PART: (Btl.) "Jus-Made * * * Orange [or "Grape"] Drink."

RESULTS OF INVESTIGATION: Examination showed that the orange drink contained approximately 9 percent and the grape drink approximately 3 percent of the declared amount of vitamin C.

LIBELED: 12-4-59, W. Dist. La.

CHARGE: 402(b)(1)—while held for sale, the valuable constituent, vitamin C, had been in part omitted or abstracted from the articles; 403(a)—the label statements "30 Milligrams of Vitamin 'C'" were false and misleading; and 403(k)—when shipped, the articles contained a chemical preservative, sodium benzoate, and their labeling failed to state the fact that it was a chemical preservative.

DISPOSITION: 3-21-60. Default—destruction.

26302. Grape drink. (F.D.C. No. 44184. S. No. 76-434 P.)

QUANTITY: 23 cases, 6½-gal. btls. each, at Memphis, Tenn.

SHIPPED: 10-19-59, from Blytheville, Ark., by Arkansas Grocer Co.

LABEL IN PART: (Btl.) "Jus-Made Grape Drink Enriched with Vitamin 'C' Each Pint has been Enriched with 30 Milligrams of Vitamin 'C' * * * Contents; Water, Sugar, Fruit Juice, Citric Acid, Essential Oils, U.S. Color, Less than 1-10 of 1% Sodium Benzoate. * * * Jus-Made Inc.—3221 Pennsylvania Ave., Dallas, Texas."

RESULTS OF INVESTIGATION: Examination showed that the article contained approximately 14.4 percent of the declared amount of 30 milligrams of vitamin C per pint.

LIBELED: 1-15-60, W. Dist. Tenn.

CHARGE: 402(b)(1)—when shipped, the valuable constituent, vitamin C, had been in whole or in part omitted or abstracted from the article; 403(a)—the label statement "Each Pint has been Enriched with 30 Milligrams of Vitamin 'C'" was false and misleading; and 403(k)—the article contained a chemical preservative, sodium benzoate, and its labeling failed to state the fact that the article contained a chemical preservative.

DISPOSITION: 3-2-60. Default—destruction.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCT

26303. Ryola Crisp Rye. (F.D.C. No. 42436. S. Nos. 20-494 P, 27-404 P.)

INFORMATION FILED: 3-16-59, Dist. Minn., against Ryola Co., a corporation, Minneapolis, Minn., and Guy M. Fredeen, president of the corporation.

SHIPPED: Between 8-27-58 and 10-24-58, from Minnesota to Kansas and South Dakota.

LABEL IN PART: (Pkg.) "RYOLA Scandinavian Style CRISP RYE Family Size Net Weight 11 Ounces RYOLA COMPANY Minneapolis Minn"

CHARGE: 402(a)(3)—contained insect fragments and rodent hair fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Guilty by the company to count 1 involving the shipment to Kansas; and by the individual to count 2 involving the shipment to South Dakota.

DISPOSITION: 12-14-59. Each defendant fined \$200.

CORNMEAL

26304. Cornmeal and flour. (F.D.C. No. 44033. S. Nos. 75-664/6 P.)

QUANTITY: 69 25-lb. bags of cornmeal and 49 50-lb. bags of flour at Texarkana, Ark., in possession of Jopling-Eason Wholesale Grocer Co.

SHIPPED: Between 10-9-59 and 12-3-59, from Crete, Nebr., and Arkansas City, Kans.

LIBELED: 1-13-60, W. Dist. Ark.

CHARGE: 402(a)(3)—contained rodent excreta pellets and rodent urine; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 2-25-60. Default—delivered to a charitable institution for use as animal feed.

FLOUR*

26305. Pastry flour. (F.D.C. No. 43971. S. No. 90-451 P.)

QUANTITY: 498 100-lb. bags at Fall River, Mass.

SHIPPED: 10-24-59, from Island City, Oreg.

LIBELED: 12-17-59, Dist. Mass.

CHARGE: 402(a)(3)—contained rodent urine and rodent excreta pellets while held for sale.

DISPOSITION: 1-15-60. Consent—claimed by American Grocers Supply Co., Fall River, Mass. Segregated; 440 100-lb bags denatured.

26306. Flour. (F.D.C. No. 44066. S. Nos. 96-182/3 P.)

QUANTITY: 22 bales, 12 4-lb. bags each, at Eau Claire, Wis.

SHIPPED: 12-16-59, from Stockton, Minn., by Stockton Roller Mill Co.

LABEL IN PART: (Bag) "Stockton Brand Compound Self-Rising Buckwheat Flour * * * Manufactured and Put up by Stockton Roller Mill Co. Stockton, Minn." or "Stockton Brand Self Rising Wheat Cake Flour * * * Manufactured and Packed by Stockton Roller Mill Co. Stockton, Minn."

LIBELED: 2-15-60, W. Dist. Wis.

CHARGE: 402(a)(3)—contained insects, insect fragments, and rodent hair fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 3-18-60. Default—delivered to a public institution for use as animal feed.

26307. Flour. (F.D.C. No. 43089. S. Nos. 28-942/3 P.)

INFORMATION FILED: 6-16-59, N. Dist. Miss., against Leroy P. McCarty, a partner in the partnership of L. P. McCarty & Son, Tupelo, Miss.

*See also Nos. 26304, 26323.