

403(i) (2)—the articles were fabricated from two or more ingredients and their labels failed to bear the common or usual name of each such ingredient since "fruit concentrates" and "juices" (grape and orange only) and "juices" (papaya) were not the common or usual name of such ingredients; 403(j)—the articles purported to be and were represented as foods for special dietary uses by reason of their vitamin C content, and their labels failed to bear, as required by regulations, a statement of the proportion of the minimum daily requirement for vitamin C supplied by such food when consumed in a specified quantity during the period of one day; and 403(a)—the labeling of the articles contained false and misleading statements which represented and suggested that the articles (grape and orange) were adequate and effective to promote digestion and normal regularity; and (papaya) would produce health, promote digestion and normal regularity, long life, and strength, and that it was adequate as a treatment for and preventive of, stomach and digestive tract disorders.

DISPOSITION: 11-15-61. Default—delivered to charitable institutions.

27652. Beer. (F.D.C. No. 46610. S. No. 6-055 T.)

QUANTITY: 113 cases, 35 btls. each, at New Britain, Conn.

SHIPPED: 9-21-61, from Brooklyn, N.Y., by Piel Bros., Inc.

LABEL IN PART: (Case) "35—7 Oz. Bottles Piels Light Beer Brooklyn & Staten Island, N.Y." and (btl.) "Piels Light Beer * * * Contents seven fluid ounces Piel Brothers, Staten Island, New York."

RESULTS OF INVESTIGATION: Examination showed that the article was short in volume.

LIBELED: 11-15-61, Dist. Conn.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 2-20-62. Consent—delivered to a charitable institution.

27653. Tea. (F.D.C. No. 46607. S. No. 18-433 T.)

QUANTITY: 689 chests, containing a total of 71,440 lbs., at Dallas, Tex.

SHIPPED: Prior to 9-28-61, from India, Ceylon, and Africa.

LIBELED: 11-1-61, N. Dist. Tex.

CHARGE: 402(a) (3)—contained moldy, decomposed tea while held for sale.

DISPOSITION: 11-2-61. Consent—claimed by Underwriters Salvage Co. of New York, Dallas, Tex. Segregated; 10,100 lbs. destroyed.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

27654. Unbaked biscuits. (F.D.C. No. 46861. S. No. 15-582 T.)

QUANTITY: 190 cases, 24 8-oz. cans each, at Cincinnati, Ohio.

SHIPPED: 10-31-61, from Abilene, Tex., or Jeffersonville, Ind., by Mead's Frozen Foods, Inc.

LABEL IN PART: (Can) "Dixie's Pride Sweetmilk 10 Biscuits * * * Contain * * * Sweet Whey, Non-Fat Milk * * * Refrigerated Dough Products, Inc. Jeffersonville, Ind."

RESULTS OF INVESTIGATION: Examination showed that the article contained a food additive, namely, mineral oil.

LIBELED: 12-22-61, S. Dist. Ohio.

CHARGE: 402(a)(2)(C)—when shipped, the article contained a food additive, namely, mineral oil, which is unsafe within the meaning of 409, since it and its use or intended use were not in conformity with a regulation or exemption in effect; and 403(a)—the label statement "Sweetmilk" represented and suggested that the article contained milk, which statement was false and misleading as applied to an article containing whey and skim milk.

DISPOSITION: 1-5-62. Default—destruction.

27655. Bread. (F.D.C. No. 46158. S. No. 55-335 R.)

QUANTITY: 35 ctns., 6 loaves each, at Ketchikan, Alaska.

SHIPPED: 7-27-61, from Seattle, Wash., by Continental Baking Co.

LABEL IN PART: (Loaf) "Wonder Enriched Bread Made with Buttermilk Net Weight 1 lb. 6½ Oz."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 8-1-61, Dist. Alaska.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 11-28-61. Default—delivered to a charitable institution.

27656. Hush puppies. (F.D.C. No. 46855. S. No. 38-543 T.)

QUANTITY: 946 cases, 12 1-lb. bags each, at Montgomery, Ala.

SHIPPED: 11-4-61, from Thunderbolt, Ga., by Neptunalia Seafood Co., Inc.

LABEL IN PART: (Bag) "Gold King Ready to Eat Hush Puppies Southern style Fried Corn Bread * * * Packed by Neptunalia Seafood Company, Thunderbolt, Georgia."

LIBELED: 12-19-61, M. Dist. Ala.

CHARGE: 402(a)(3)—contained rodent hairs, insect parts, and flies; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 1-25-62. Default—destruction.

27657. Hush puppies. (F.D.C. No. 46856. S. No. 38-541 T.)

QUANTITY: 696 cases, 12 1-lb. bags each, at Birmingham, Ala.

SHIPPED: 11-4-61, from Thunderbolt, Ga., by Neptunalia Seafood Co., Inc.

LABEL IN PART: (Bag) "Gold King Ready to Eat Hush Puppies Southern Style Fried Corn Bread * * * Packed by Neptunalia Seafood Company, Thunderbolt, Georgia."

LIBELED: 12-19-61, N. Dist. Ala.

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

DISPOSITION: 1-19-62. Default—destruction.

27658. Square-C cookies and Malt-Toast cookies. (F.D.C. No. 46405. S. Nos. 79-919/20 R.)

QUANTITY: 118 cases, 30 1-oz. pkgs. each, of Square-C cookies; and 48 cases, 30 7/8-oz. pkgs. each, of Malt-Toast cookies, at South Charleston, W. Va.