

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

DISPOSITION: 11-20-61. Default—delivered to a public institution for use as animal feed.

28075. Dried apples. (F.D.C. No. 45571. S. No. 49-166 P.)

INFORMATION FILED: 11-16-61, N. Dist. Calif., against Santa Cruz Fruit Co., a partnership, Santa Cruz, Calif.

ALLEGED VIOLATION: On 10-13-59, the defendant caused to be given to a firm engaged in the business of shipping various products in interstate commerce, a guaranty to the effect that fruits shipped by the defendant to such firm would not be adulterated. On 10-27-59, the defendant caused to be shipped and delivered to the holder of the guaranty at San Jose, Calif., quantities of dried apples which were adulterated.

CHARGE: 402(a)(3)—contained insect fragments, insect excreta, and other insect filth.

PLEA: Guilty.

DISPOSITION: 2-6-62. \$1,000 fine.

MISCELLANEOUS FRUIT PRODUCTS

28076. Apple juice. (F.D.C. No. 45752. S. No. 61-139 R.)

QUANTITY: 192 cases, 12 1-qt. btls. each, at Wichita, Kans.

SHIPPED: 2-13-61, from Kansas City, Mo., by Speas Co.

LABEL IN PART: (Btl.) "Speas Apple Juice * * * Packed by Speas Company, Kansas City, Mo."

LIBELED: 5-24-61, Dist. Kans.

CHARGE: 402(a)(3)—consisted in whole or in part of a filthy substance; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 10-20-61. Default—destruction.

28077. Frozen concentrated orange juice. (F.D.C. No. 46028. S. Nos. 58-301 R, 58-328 R.)

QUANTITY: 786 cases, 48 cans each, at East Point, Ga.

SHIPPED: 1-5-61 and 2-9-61, from Orlando, Fla., by Snow Crop Sales Div. of Minute Maid Corp.

LABEL IN PART: (Can sides) "Snow Crop Pure Concentrated Orange Juice * * * Makes 24 fl. oz. * * * Equal to the juice of up to 12 oranges. Snow Crop Sales Division, Minute Maid Corporation, Orlando, Florida" (can ends) "Snow Crop 100% Richer in Visible Flavor Cells."

LIBELED: 6-20-61, N. Dist. Ga.

CHARGE: 403(a)—when shipped, the label statement "100% Richer in Visible Flavor Cells" was false and misleading since the article was not 100% richer in vitamin C; and it would not improve health, increase energy; help fight disease; and resist infection, as implied; 403(a)—the label statement "100% Richer in Visible Flavor Cells" was false and misleading since it implied that the visible insoluble material in the article consisted of flavor cells which was contrary to fact; 403(a)—the label statement "100% Richer in Visible Flavor Cells" was false and misleading since it purported to make a comparison without giving the basis of comparison; and 403(a)—the label statement "Equal to