

properties as the Secretary had determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such uses.

BEVERAGES AND BEVERAGE MATERIALS

28501. Beer. (F.D.C. No. 47572. S. No. 41-400 T.)

QUANTITY: 75 cases, each containing 24 btls., at Newark, N.J.

SHIPPED: 4-11-62, from Brooklyn, N.Y., by Joseph Schlitz Brewing Co., Inc.

LABEL IN PART: (Btl.) "Schlitz The Beer that made Milwaukee Famous Contents 12 Fluid Ounces * * * Brewed and Bottled at Brooklyn, N.Y. * * * By Jos. Schlitz Brewing Company, Inc."

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

LIBELED: 5-7-62, Dist. N.J.

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

DISPOSITION: 10-1-62. Default—delivered to charitable institutions.

28502. Pepsi-Cola. (F.D.C. No. 45577. S. Nos. 54-950 R, 54-952 R, 54-959 R.)

INFORMATION FILED: 6-15-62, E. Dist. Mo., against Pepsi-Cola Bottlers of St. Louis, Inc., St. Louis, Mo., Reginald H. Coe, president, and Melvon M. Millsap, superintendent.

SHIPPED: Between 11-28-60 and 12-9-60, from St. Louis, Mo., to Madison, East St. Louis, and Columbia, Ill.

LABEL IN PART: (Btl.) "BOTTLED UNDER AUTHORITY OF PEPSI-COLA COMPANY BY PEPSI-COLA BOTTLERS OF ST. LOUIS, INC. PEPSI COLA 12 FL. OZ."

CHARGE: 402(a) (3)—the article contained dirt, debris, and insect fragments when shipped.

PLEA: Nolo contendere.

DISPOSITION: 8-3-62. Corporation—\$2,000 fine; individuals—\$700 fine each.

28503. Tea. (F.D.C. No. 47191. S. No. 54-532 T.)

QUANTITY: 176 ctns., each containing 48 boxes, at Augusta, Ga.

SHIPPED: 1-4-62, from Suffolk, Va., by Thomas J. Lipton, Inc.

LABEL IN PART: (Box) "Lipton Tea * * * 1 $\frac{3}{8}$ Ounces Net Wt. Orange Pekoe And Pekoe Black Tea * * * Thomas J. Lipton, Inc. (packer), Hoboken, N.J."

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

LIBELED: 3-2-62, S. Dist. Ga.

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

DISPOSITION: On 4-23-62, Thomas J. Lipton, Inc., showed to the court that it was the owner of the article and moved that it be permitted to obtain a representative sample, a copy of the analysis on which the proceeding was based, and the identifying marks, or numbers, of the packages from which the samples analyzed were obtained. Thereafter, the information requested was supplied and, on 5-31-62, a consent order for the taking of samples by the claimant and by the Food and Drug Administration was filed. On