BEVERAGES AND BEVERAGE MATERIALS

29801. Beer. (Inj. No. 476.)

COMPLAINT FOR INJUNCTION FILED: 8–29–63, S. Dist. Calif., against Maier Brewing Co., a corporation, Los Angeles, Calif., and Walter Trieselmann, brewmaster.

CHARGE: The complaint alleged that the defendant, the Maier Brewing Co., was a California corporation, that it operated a brewery in Los Angeles, Calif., that it was engaged in the business of manufacturing, packing, and distributing beer, that it shipped some of this beer in interstate commerce, that the defendant, Walter Trieselmann, was employed by the Maier Brewing Co., as brewmaster at its Los Angeles brewery.

The complaint alleged that from time to time the defendants operated the brewery under insanitary conditions by reason of the presence of insect infestation in the plant and equipment, that such insanitary conditions were observed in July and December of 1960, that beer produced under such conditions was adulterated within the meaning of 402(a)(4) and that the interstate shipment of such beer was in violation of the law.

DISPOSITION: On 9–16–63, a consent decree of permanent injunction was filed which permanently enjoined and restrained the defendants and all other persons in active concert or participation with them from directly or indirectly causing to be introduced or delivered for introduction into interstate commerce, any beer which was adulterated within the meaning of 402(a)(4) in that it had been prepared, packed, or held under insanitary conditions whereby it may have been contaminated with filth. The defendants were further prohibited from taking out of context any provision in the complaint for injunction or in the consent decree of injunction in their sales, advertising, or other promotional activities.

29802. Apple juice. (F.D.C. No. 50265. S. No. 97–946 A.)

QUANTITY: 43 cases, each containing 4 1-gal. jugs, and 27 1-gal. jugs, at San Francisco, Calif.

SHIPPED: 1–27–64, from Tulsa, Okla.

RESULTS OF INVESTIGATION: Examination showed that the article contained mold and was undergoing progressive decomposition.

LIBELED: 7–28–64, N. Dist. Calif.

CHARGE: 402(a)(3)—contained mold while held for sale.

DISPOSITION: 10–6–64. Default—destruction.

29803. Fruit-flavored drinks. (F.D.C. No. 49991. S. Nos. 43–263 A, 43–265 A, 43–267/8 A, 43–285 A.)

QUANTITY: 304 cases, containing 12 cans of pineapple-grapefruit drink; 49 cases, each containing 12 cans of punch; 115 cases, each containing 12 cans of orange drink; 84 cases, each containing 12 cans of pineapple-orange drink; and 35 cases, each containing 12 cans of pineapple-grapefruit drink; at Salt Lake City, Utah.

SHIPPED: Between 2–11–64 and 4–1–64, from Anaheim, Calif., by Mutual Citrus Products Co.

LABEL IN PART: (Can) "MCP * * * Packed by Mutual Citrus Products Co., Anaheim, Calif. Net Contents One Quart 14 fl. oz."