

tary had determined to be, and by regulation prescribed as, necessary in order fully to inform purchasers as to its value for such uses; and Section 403(k), the article contained artificial coloring, or a chemical preservative, and failed to bear labeling stating that fact.

BEVERAGES AND BEVERAGE MATERIALS

28701. Green coffee beans. (F.D.C. No. 48281. S. No. 18-274 V.)

QUANTITY: 141 132-lb. bags at Houston, Tex.

SHIPPED: 9-13-62, from Buenaventura, Colombia.

LIBELED: 11-6-62, S. Dist. Tex.

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

DISPOSITION: 12-5-62. Consent—claimed by East Asiatic Co., Inc., New York, N.Y., and reconditioned to remove the unfit material.

28702. Maxwell House instant coffee. (F.D.C. No. 47567. S. Nos. 68-282 T, 68-284 T.)

QUANTITY: 861 $\frac{1}{3}$ cases, 18 10-oz. jars each, at Chicago, Ill., in possession of National Tea Co.

SHIPPED: Between 2-1-62 and 4-24-62, from Houston, Tex., by General Foods Corp.

LABEL IN PART: (Jar) "Giant Economy Size 10 Oz. Instant Maxwell House Coffee * * * Made by Maxwell House Division General Foods Corporation Hoboken, N.J. * * * 10 Oz. Net Wt."

RESULTS OF INVESTIGATION: Investigation showed that the 10-oz. size jars of this article were being sold in the retail stores of the dealer at \$1.44 per jar, or 14.4 cents per ounce, while the 6-oz. jars of the same product were being sold in the same stores at 75 cents per jar, or 12 $\frac{1}{2}$ cents per ounce.

LIBELED: 4-26-62, N. Dist. Ill.

CHARGE: 403(a)—when shipped and while held for sale, the label statement "Giant Economy Size" on the jar labels and on the jar lids of the 10-oz. size jars, was false and misleading since it suggested and implied that it was more economical for the consumer to purchase the article in the 10-oz. size jars than the article in smaller size jars, whereas, it was not more economical for the consumer to purchase the article in the 10-oz. size jars than in smaller size jars, since the cost to the consumer, of the article in 6-oz. size jars sold at the usual retail price in the National Tea Company's retail stores in the Chicago area, was less on a per ounce basis than the cost to the consumer of the article in the 10-oz. jars.

DISPOSITION: 7-27-62. Consent—claimed by General Foods Corp., and National Tea Co., which firms denied that the articles were in violation. They consented to the entry of a consent decree of condemnation, without trial or adjudication of any issue of fact or law, and without admission by any party with respect to any such issue. The articles were relabeled except for 17 broken jars which were destroyed.

28703. Tea. (F.D.C. No. 46106. S. No. 80-605 R.)

QUANTITY: 86 cases, each containing 24 boxes of 48 tea bags each, at Readville, Mass.

SHIPPED: 6-20-61, from Hoboken, N.J., by Standard Brands, Inc.