

purported to be and was represented for special dietary uses, and its label failed to bear such information concerning its vitamin, mineral, and other dietary properties as the Secretary had determined to be, and by regulation prescribed as, necessary in order fully to inform purchasers as to its value for such uses.

BEVERAGES AND BEVERAGE MATERIALS

28201. Coffee. (F.D.C. No. 46404. S. No. 49-774 R.)

QUANTITY: 23 cases, 24 cans each, at Roswell, N. Mex.

SHIPPED: 7-21-61, from Houston, Tex., by Duncan Coffee Co.

LABEL IN PART: (Ctn.) "24—1 Lb. Cans Regular * * * Maryland Club Coffee Duncan Coffee Co. Houston, Texas" and (can) "Maryland Club Coffee * * * Net Wt. 1 Lb."

RESULTS OF INVESTIGATION: Examination showed the article to be short weight.

LIBELED: 8-29-61, Dist. N. Mex.

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

DISPOSITION: 9-25-61. Consent—claimed by Duncan Coffee Co., and repacked.

28202. Green coffee. (F.D.C. No. 46762. S. No. 1-212 T.)

QUANTITY: 206 132-lb. bags, at Greensboro, N.C.

SHIPPED: 11-2-61, from New Orleans, La., by Leon Israel & Bros., Inc.

LIBELED: 12-1-61, M. Dist. N.C.

CHARGE: 402(a)(3)—contained insects, insect larvae, and insect-damaged coffee beans when shipped.

DISPOSITION: 7-3-62. Consent—claimed by Leon Israel & Bros., Inc., and released under bond to be returned to the original supplier at Mombasa, Kenya.

28203. Green coffee (2 seizure actions). (F.D.C. No. 45598. S. Nos. 30-655/6 R.)

QUANTITY: 268 150-lb. bags and 8 150-lb. bags, at New Orleans, La., in possession of Biehl & Co., Inc.

SHIPPED: (268-bag lot) 1-23-61, from Cutuco, La Union, El Salvador; and (8-bag lot) 11-24-60, from Rio de Janeiro, Brazil.

LIBELED: 3-24-61, E. Dist. La.

CHARGE: 402(a)(3)—contained bird excreta while held for sale; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: (268-bag lot) 4-28-61. Consent—claimed by J. A. Folger & Co., New Orleans, La. Segregated; 298 lbs. destroyed. (8-bag lot) 6-14-61. Default—destruction.

28204. Instant coffee. (F.D.C. No. 47221. S. No. 48-879 T.)

QUANTITY: 50 cases, 18 jars each, at Kahului, Maui, Hawaii.

SHIPPED: 2-15-62, from San Leandro, Calif., by General Foods Corp.

LABEL IN PART: (Jar) "Giant * * * Size 10 Oz. Instant Maxwell House Coffee * * * Made by Maxwell House Division General Foods Corporation."

RESULTS OF INVESTIGATION: Examination showed the article to be short weight.

LIBELED: 2-28-62, Dist. Hawaii.

CHARGE: 403(a)—when shipped, the label statement "Giant * * * Size 10 Oz." was false and misleading as applied to a product containing an average of only 9.78 ounces; and 403(e) (2)—the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 4-16-62, amended decree 4-20-62. Default—delivered to charitable institutions.

28205. Carling's beer. (F.D.C. No. 47913. S. No. 7-980 T.)

QUANTITY: 296 cases, each containing 24 cans, at Providence, R.I.

SHIPPED: 7-11-62, from Natick, Mass., by Carling Brewing Co.

LABEL IN PART: (Can) "Carling Black Label Beer * * * Brewed and Filled by Carling Brewing Company, Natick, Mass. * * * Contents 12 Fl. Ozs."

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

LIBELED: 7-31-62. Dist. R.I.

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

DISPOSITION: 8-15-62. Default—delivered to charitable institutions.

28206. Frozen orange juice concentrate. (F.D.C. No. 46585. S. Nos. 42-260 T, 42-441/2 T.)

QUANTITY: 3,516 cases, 48 6-oz. cans each, at Philadelphia, Pa.

SHIPPED: Between 7-26-61 and 9-11-61, from Jacksonville and Tampa, Fla., by Food Fair Stores, Inc.

LABEL IN PART: (Can) "FF * * * Pure Concentrated Orange Juice Net Contents 6 Fl. Ozs. No Sugar Added * * * This can makes 6 servings; equal to the juice of one dozen average-size oranges Quick Frozen Distributed by F.F. Products, Inc., Phila. 34, Pa."

LIBELED: 10-26-61, E. Dist. Pa.

CHARGE: 403(a)—when shipped, the label statement "This can makes 6 servings; equal to the juice of one dozen average-size oranges," was false and misleading.

DISPOSITION: 6-27-62. Consent—claimed by Food Fair Stores, Inc., and released under bond for relabeling.

28207. Tea. (F.D.C. No. 47521. S. Nos. 11-230/2 T.)

QUANTITY: 8 cases, 44 boxes each, and 4 cases, 28 boxes each, at Rochester, N.Y.

SHIPPED: Between 3-28-62 and 4-18-62, from Cleveland, Ohio, by Cook Coffee Co.

LABEL IN PART: (Box) "Net Weight One-Half Pound Crown Special Blend For Iced Tea"; and (box) "Net Weight One-Half Pound [or "One Pound"] Cook's Exquisite Tea"; (all boxes labeled in addition) "Packed for and Distributed Exclusively by India Tea Company Cook Coffee Company Home Tea Company Central Tea Company Cleveland, Ohio."

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

LIBELED: 6-1-62, W. Dist. N.Y.