

MISCELLANEOUS FRUIT PRODUCTS

27278. Blackberry juice concentrate. (F.D.C. No. 45355. S. No. 3-057 R.)

QUANTITY: 27 1-gal. cans at Atlanta, Ga.

SHIPPED: 4-24-59 and 5-28-59, from New York, N.Y.

LIBELED: 1-16-61, N. Dist. Ga.

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

DISPOSITION: 2-27-61. Default—destruction.

27279. Crushed grapes. (F.D.C. No. 45420. S. No. 9-792 R.)

QUANTITY: 45 50-gal. drums at Erie, Pa.

SHIPPED: 10-7-60, from Westfield, N.Y., by Westfield Food Products, Inc.

LIBELED: 2-10-61, W. Dist. Pa.

CHARGE: 402(a) (3)—contained insects and insect parts when shipped.

DISPOSITION: 4-19-61. Default—destruction.

27280. Glacé fruit mix. (F.D.C. No. 45115. S. No. 55-303 R.)

QUANTITY: 83 30-lb. ctns. at Seattle, Wash.

SHIPPED: 10-11-60, from Hayward, Calif., by Treasure Island Food Products.

LABEL IN PART: (Ctn.) "Treasure Island Food Products * * * Fancy Fruit Mix * * * Langendorf * * * Seattle, Wash."

LIBELED: 11-28-60, W. Dist. Wash.

CHARGE: 402(a) (3)—contained insects and insect fragments; and 402(a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: 3-6-61. Default—destruction.

27281. Glacé cherries and glacé fruit mix. (F.D.C. No. 45290. S. Nos. 55-304/6 R.)

QUANTITY: 25 30-lb. ctns. of cherries and 100 28½-lb. ctns. of fruit mix at Seattle, Wash.

SHIPPED: 10-14-60, from Hayward, Calif., by Treasure Island Food Products.

LABEL IN PART: (Ctn.) "Treasure Island Food Products * * * Hayward, California Glacé Cherries Whole & Broken [or "Fancy Fruit Mix"]."

LIBELED: 12-20-60, W. Dist. Wash.

CHARGE: 402(a) (3)—contained insect fragments and (fruit mix) insects and rodent hair fragments; and 402(a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: 3-22-61. Default—destruction.

VEGETABLES AND VEGETABLE PRODUCTS

27282. Mixed canned vegetables for infants. (F.D.C. No. 45646. S. No. 40-628 R.)

QUANTITY: 50 cases, 24 7½-oz. jars each, at St. Louis, Mo.

SHIPPED: Between 1-18-61 and 3-10-61, from Fremont, Mich., by Gerber Products Co.

LABEL IN PART: (Jar) "Junior Dinner Mixed Vegetables * * * Gerber * * * Gerber Products Co., Mfr. General Office Fremont, Mich, U.S.A."

RESULTS OF INVESTIGATION: Examination showed that the article contained stones.

LIBELED: 4-27-61, E. Dist. Mo.

CHARGE: 402(a)(1)—when shipped, the article contained a deleterious substance which may have rendered it injurious to health.

DISPOSITION: 6-14-61. Default—destruction.

27283. Carrot juice, celery juice, and beet juice. (F.D.C. No. 43599. S. Nos. 63-201/3 P, 80-098/9 P.)

QUANTITY: 100 24-can cases labeled carrot juice, and 24 24-can cases of unlabeled carrot juice; 42 24-can cases of labeled celery juice, and 25 24-can cases of unlabeled celery juice; and 30 24-can cases of labeled beet juice, at Detroit, Mich., in possession of Health Champions, Inc.

SHIPPED: Between 4-8-58 and 8-1-59, from Eugene, Oreg., by Eugene Fruit Growers Association.

LABEL IN PART: (Can) "Organi-Rich Natural Oregon Carrot Juice [or "Celery Juice" or "Beet Juice"] Contents: 1 Pt. 2 Fluid Ounces. [or "12 fl. oz."] Undiluted, no salt, no color, no preservative added. Packed for: Health Champions, Inc. Detroit 5, Mich."

ACCOMPANYING LABELING: Booklets entitled "Raw Vegetable Juices," "Nature's Way to Health" and loose labels for labeling containers of celery, beet, and carrot juices.

LIBELED: 10-19-59, E. Dist. Mich.

CHARGE: 403(e)—when shipped, the cans in the 24-case lot of carrot juice and in the 25-case lot of celery juice failed to bear labels containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; and 403(j)—while held for sale, the articles purported to be and were represented as foods for special dietary use by reason of their use as a means of regulating the intake of sodium or salt (sodium chloride) and the labels of each article failed to bear, as prescribed by regulations, a statement of the number of milligrams of sodium per 100 grams of the food and a statement of the number of milligrams of sodium in an average serving of the food.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices No. 6375.

DISPOSITION: Health Champions, Inc., appeared as claimant and consented to the entry of a decree of condemnation and of permanent injunction. On 6-27-60, a decree was entered providing for the condemnation of the articles under seizure and the release under bond of the articles to be brought into compliance with the law. In addition, the decree permanently enjoined the claimant and its officers, agents, employees, representatives, and all other persons in active concert and participation with it from associating or causing to be associated with the above-described articles or any similar articles, while held for sale after shipment in interstate commerce, the booklets entitled "Raw Vegetable Juices" and "Nature's Way to Health" or any written, printed, or graphic matter which represent and suggest that such articles are adequate and effective for the treatment or prevention of colitis, ulcers, lung hemorrhages, acne, anemia, rheumatic conditions, constipation, rickets, functional heart trouble, arthritis, boils and carbuncles,