7708. Adulteration and misbranding of grape juice. U. S. v. 66 Cases of Grape Juice. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 12695. Sample No. 76220-F.)

LIBEL FILED: June 24, 1944, District of New Jersey.

ALLEGED SHIPMENT: On or about April 21, 1944, by the Goodman Products Co., from Brooklyn, N. Y.

PRODUCT: 66 cases, each containing 12 bottles, of grape juice at Newark, N. J.

LABEL, IN PART: (Bottles) "Paradise Brand."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), an acidulated and sweetened mixture of grape juice and water had been substituted in whole or in part for "Grape Juice Sugar Added"; and, Section 402 (b) (4), water had been added to or mixed or packed with the product so as to reduce its quality or strength.

Misbranding, Section 403 (a), the statements, "Cont. 1 Fl. Quart Pure Concord Grape Juice Sugar Added This Grape Juice is the Pure Juice of the Ripe Concord Grape," appearing in the labeling, were false and misleading as applied to an acidulated and sweetened mixture of grape juice and water which was short of the declared volume; Section 403 (e) (2), the product was in package form, and it failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: November 6, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution, after destruction of the labels as directed by the Food and Drug Administration.

7709. Adulteration and misbranding of orange juice concentrate (beverage base). U. S. v. 11 Jugs of Orange Juice Concentrate. Default decree of condemnation. Product ordered delivered to a charitable organization. (F. D. C. No. 13329. Sample No. 82175-F.)

LIBEL FILED: August 15, 1944, District of New Jersey.

ALLEGED SHIPMENT: On or about July 13 and 17, 1944, by the Salient Flavoring Corporation, from New York, N. Y.

PRODUCT: 11 1-gallon jugs of orange juice concentrate at Newark, N. J.

LABEL, IN PART: (Jugs) "Orange Juice Concentrate No. 16 Artificially Colored 1 Gallon to 16 Gallons 32 Baume Syrup * * * Contains the Necessary Citric Acid and Benzoate of Soda for the Finished Product. Contains Orange Juice, Natural Oils of Orange Emulsified in Gum Arabic, Citric Acid and Preserved with 1/10 of 1% Benzoate of Soda."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, concentrated orange juice, had been in part omitted from the product; Section 402 (b) (2), an artificially colored mixture of water, sugar, acid, vegetable gum, brominated vegetable oil, orange peel oil, and benzoate of soda, containing an inconsequential amount of concentrated orange juice, had been substituted in whole or in part for concentrated orange juice; Section 402 (b) (3), inferiority had been concealed by the addition of artificial color, orange peel oil, and acid; and, Section 402 (b) (4), artificial color, orange peel oil, and acid had been added to the product and mixed and packed with it so as to make it appear to be concentrated orange juice, a product which is better and of greater value than the article was.

Misbranding, Section 403 (a), the label statement, "Orange Juice Concentrate," was false and misleading as applied to a product which contained an inconsequential amount of concentrated orange juice; Section 403 (c), the product was an imitation of concentrated orange juice, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; and, Section 403 (i) (2), it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient, since brominated vegetable oil, water, and sugar were not declared.

DISPOSITION: October 23, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable organization, after destruction of the labels as directed by the Food and Drug Administration.