

DISPOSITION: August 14, 1945. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

8105. Misbranding of canned grapefruit juice. U. S. v. 1,497 Cases of Canned Grapefruit Juice. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16250. Sample No. 9604-H.)

LIBEL FILED: May 28, 1945, Western District of New York.

ALLEGED SHIPMENT: On or about April 19, 1945, by the E. S. Smith Co., from Lakeland, Fla.

PRODUCT: 1,497 cases, each containing 12 cans, of grapefruit juice at Buffalo, N. Y. The cans were short-volume.

LABEL, IN PART: "Zenada Brand Unsweetened Grapefruit Juice Contents 1 Qt. 14 Fl. Oz. Packed by F & M Packing Co. Brooksville, Fla."

VIOLATION CHARGED: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: July 9, 1945. The Danahy-Faxon Stores, Inc., Buffalo, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

8106. Adulteration of canned orange juice. U. S. v. 128 Cases and 399 Cases of Canned Orange Juice. Default decrees of condemnation and destruction. (F. D. C. Nos. 16379, 16380. Sample Nos. 769-H, 770-H.)

LIBELS FILED: June 26, 1945, Northern District of Georgia.

ALLEGED SHIPMENT: On or about January 22 and April 21, 1945, by Citrus Concentrates, Inc., from Dunedin, Fla.

PRODUCT: 527 cases, each containing 24 cans, of orange juice at Atlanta, Ga.

LABEL, IN PART: "Sunfilled Brand Pure Orange Juice."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and a decomposed substance by reason of the presence of maggots, fly eggs, and decomposed orange material.

DISPOSITION: August 1, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

8107. Misbranding of orange juice and pulp. U. S. v. 149 Jugs of Orange Juice and Pulp. Default decree of forfeiture and destruction. (F. D. C. No. 16254. Sample Nos. 19117-H to 19119-H, incl., 19139-H.)

LIBEL FILED: May 26, 1945, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about June 12 and August 25, 1944, and February 19, 1945, by the Nehi Corporation, from Columbus, Ohio.

PRODUCT: 149 1-gallon jugs of orange juice and pulp at Menomonie, Wis. Analysis showed that the product was a mixture of about 70 percent orange juice, containing substantially more fragments of insoluble orange tissue than does commercial orange juice, water, added citric acid and either added phosphoric acid or acid phosphate, and sodium benzoate.

LABEL, IN PART: "Nehi Corporation Par-T-Pak Orange Juice and Pulp."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the name "Orange Juice and Pulp" and the words "Contains orange juice and citric acid * * * This product contains no preservative," appearing on the bottle label, were false and misleading as applied to a mixture of orange juice, excess fragments of insoluble orange tissues, water, citric and phosphoric acids, or acid phosphate, and the chemical preservative, benzoate of soda; Section 403 (i) (2), the label did not bear the common or usual name of each ingredient of the product; and, Section 403 (k), the product contained a chemical preservative, benzoate of soda, and the label did not state that fact.

DISPOSITION: July 16, 1945. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

CEREALS AND CEREAL PRODUCTS*

CORN MEAL

8108. Adulteration of corn meal. U. S. v. 21 Bags of Corn Meal. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16843. Sample Nos. 13430-H, 13431-H.)

LIBEL FILED: July 13, 1945, Southern District of Ohio.

*See also No. 8248.

ALLEGED SHIPMENT: On or about May 9 and June 22, 1945, by Bundy Brothers Mill Co., from Medora, Ind.

PRODUCT: 13 100-pound bags of yellow corn meal and 8 100-pound bags of white corn meal, at Cincinnati, Ohio.

LABEL, IN PART: "Medora Roller Mills Fancy Fresh Ground Cream Meal."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, and rodent hair fragments.

DISPOSITION: August 1, 1945. Henry Nagel and Son, Cincinnati, Ohio, claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond to be converted into stock feed, under the supervision of the Food and Drug Administration.

8109. Adulteration of corn meal. U. S. v. 11 Bags of Corn Meal. Default decree of condemnation. Product ordered sold. (F. D. C. No. 16764. Sample No. 22171-H.)

LIBEL FILED: June 28, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: November 28, 1945, by the Decatur Milling Co., from Decatur, Ill.

PRODUCT: 11 100-pound bags of corn meal at Wellston, Mo.

LABEL, IN PART: "Degerminated Hudnuts Hexagon Brand Cream Meal."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, and insect fragments.

DISPOSITION: July 27, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, conditioned upon the adoption of such safeguards against its use for human consumption as directed by the Federal Security Agency.

8110. Adulteration of corn meal. U. S. v. 519 Bags of Corn Meal. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16634. Sample No. 355-H.)

LIBEL FILED: June 26, 1945, Southern District of Florida.

ALLEGED SHIPMENT: On or about May 24, 1945, by the Wade Wood Milling Co., from Birmingham, Ala.

PRODUCT: 113 bags, each containing 5 10-pound packages; 223 bags, each containing 8 5-pound packages; and 183 bags, each containing 12 2-pound packages, of corn meal at Jacksonville, Fla.

LABEL, IN PART: (Packages) "Mandy Old Style Rock Ground Corn Meal Unbolted."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta fragments, rodent hairs, and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 20, 1945. The Wade Wood Milling Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for conversion into stock feed under the supervision of the Food and Drug Administration.

8111. Adulteration of corn meal and flour. U. S. v. 332 Bags of Flour and 55 Bags of Corn Meal. Consent decrees of condemnation. Products ordered released under bond. (F. D. C. Nos. 16217, 16236. Sample Nos. 24432-H, 24433-H, 24437-H.)

LIBELS FILED: May 21 and 24, 1945, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about November 15, 1944, from Indianapolis, Ind., and April 3, 1945, from Chickasha, Okla.

PRODUCT: 55 100-pound bags of corn meal and 332 100-pound bags of flour at New Orleans, La., in the possession of the Orleans Storage Co. The products were stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets and urine stains were observed on some of them. Examination showed that the products contained weevils, larvae, cast skins, and rodent pellets.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances; and, Section 402 (a) (4), they had been