

**DISPOSITION:** March 25 and April 15, 1947. The Burton Brewing Co. having appeared as claimant, judgments of condemnation were entered and the products were ordered destroyed. The claimant was permitted to salvage the containers.

**12002. Adulteration of beer. U. S. v. 159 Cases \* \* \* (and two other seizure actions).** (F. D. C. Nos. 22358, 22447, 22575. Sample Nos. 41237-H, 67718-H, 67901-H, 73365-H, 73366-H.)

**LIBELS FILED:** On or about January 17 and 29 and February 26, 1947, District of Kansas, Western District of Wisconsin, and Eastern District of Arkansas.

**ALLEGED SHIPMENT:** Between the approximate dates of September 13 and November 16, 1946, by the Hartig Co., from Watertown, Wis.

**PRODUCT:** 159 cases at Wichita, Kans.; 850 cases at Marked Tree, Ark., and 3,903 cases at Watertown, Wis. The Watertown lot had been shipped to Philadelphia, Pa., but was refused by the consignee and returned to Watertown.

**LABEL, IN PART:** "Contents 12 Fluid Ounces Wisconsin [or "Old Wisconsin"] Premium Beer."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), (Watertown and Marked Tree lots) the Watertown lot consisted in whole or in part of a filthy substance and was otherwise unfit for food by reason of the presence of clumps of mold, rust, and dirt; and the Marked Tree lot was unfit for food due to abnormal taste and color.

Misbranding, Section 403 (e) (2), (all lots) the product failed to bear a label containing an accurate statement of the quantity of the contents, since the bottles contained less than the declared volume.

**DISPOSITION:** March 19 and May 5, 1947. The Chicago & Northwestern Railway Co. having appeared as claimant for the Watertown lot, and J. G. McDaniels, Jonesboro, Ark., having appeared as claimant for the Marked Tree lot, judgments of condemnation were entered and the product was ordered destroyed. The bottles and cases were ordered salvaged and returned to the claimants.

On January 21, 1947, no claimant having appeared for the Wichita lot, judgment of condemnation was entered and the product was ordered destroyed.

**12003. Adulteration of beer. U. S. v. 68 Cases \* \* \*. (F. D. C. No. 22309. Sample No. 90319-H.)**

**LIBEL FILED:** February 25, 1947, District of Columbia.

**ALLEGED SHIPMENT:** On or about January 16, 1947, by the Paulsam Distributing Co., from Alexandria, Va.

**PRODUCT:** 68 cases, each containing 24 bottles, of beer at Washington, D. C.

**LABEL, IN PART:** "Koenig Brau Premium Beer Brewed and Bottled By Prima Bismarck Brewing Co. Chicago, Ill."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (2), the article contained an added poisonous and deleterious substance, monochloroacetic acid, which is unsafe within the meaning of the law since it is a substance not required in the production of the article and could have been avoided by good manufacturing practice.

**DISPOSITION:** March 21, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**12004. Misbranding of beer. U. S. v. 356 Cases \* \* \*. (F. D. C. No. 22171. Sample No. 64656-H.)**

**LIBEL FILED:** January 10, 1947, District of Connecticut.

**ALLEGED SHIPMENT:** On or about November 29, 1946, by Piel Brothers, from Brooklyn, N. Y.

**PRODUCT:** 356 cases, each containing 24 bottles, of beer at New Haven, Conn. The product was found to be short-volume.

**LABEL, IN PART:** "Contents 12 Fluid Ozs. Extra Premium Piel's Light Beer."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** March 13, 1947. Fred L. Loeser & Co., Inc., New Haven, Conn., having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the purpose of

salvaging the containers after the destruction of their contents, under the supervision of the Federal Security Agency.

**12005. Adulteration of wine. U. S. v. 387 Cases \* \* \*. (F. D. C. No. 22356. Sample No. 68941-H.)**

**LABEL FILED:** January 14, 1947, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about July 5, 1946, by the Arthur M. Bloch Liquor Importers, Inc., from Milwaukee, Wis.

**PRODUCT:** 387 cases, each containing 12 24-ounce bottles, of wine at Chicago, Ill.

**LABEL, IN PART:** "St. Dennis American Blackberry Flavored Grape Wine."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (2), the product contained an added poisonous and deleterious substance, monochloroacetic acid, which is unsafe within the meaning of the law since it is a substance not required in the production of the food and could have been avoided by good manufacturing practice.

**DISPOSITION:** July 15, 1947. Default decree of condemnation and destruction.

**12006. Misbranding of wine. U. S. v. 67 Cases \* \* \* (and 4 other seizure actions). (F. D. C. Nos. 22343, 22463, 22548, 22564, 22730. Sample Nos. 40852-H, 52786-H, 68934-H, 81569-H, 90758-H.)**

**LABELS FILED:** Within the period from January 9 to March 28, 1947, District of Columbia, Eastern District of Missouri, District of Oregon, Northern District of Illinois, and Northern District of Ohio.

**ALLEGED SHIPMENT:** Between the approximate dates of April 17 and June 11, 1946, by the Joseph Dudenhofer Co., from Milwaukee, Wis.

**PRODUCT:** Wine. 163 cases at Washington, D. C., 9 cases at St. Louis, Mo., 23 cases at Eugene, Oreg., 67 cases at Chicago, Ill., and 13 cases at Cleveland, Ohio. Each case contained 12 fifth-gallon bottles.

**LABEL, IN PART:** "Dudenhofer American May Wine."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (2), the product contained an added poisonous and deleterious substance, monochloroacetic acid, which is unsafe within the meaning of the law since it is a substance not required in the production of the food and could have been avoided by good manufacturing practice.

**DISPOSITION:** Between March 28 and June 23, 1947. Default decrees of condemnation and destruction.

**12007. Adulteration of orange beverage. U. S. v. Richfield Dairy, Inc. Plea of guilty. Fine, \$400. (F. D. C. No. 21479. Sample Nos. 43086-H, 43087-H.)**

**INFORMATION FILED:** April 25, 1947, District of Columbia, against the Richfield Dairy, Inc., Washington, D. C.

**ALLEGED VIOLATION:** On or about November 11 and 12, 1946, the product was introduced and delivered for introduction into interstate commerce in the District of Columbia.

**LABEL, IN PART:** "Richfield Dairy, Inc. Bireley's Orange Beverage."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (2), the product contained an added poisonous and deleterious substance, alkali, which is unsafe within the meaning of the law since it is a substance not required in the production of the food and could have been avoided by good manufacturing practice.

**DISPOSITION:** May 29, 1947. A plea of guilty having been entered on behalf of the defendant, a fine of \$400 was imposed.

**12008. Adulteration of canned orange juice. U. S. v. Russell and Decker Company. Plea of nolo contendere. Fine, \$1,000. (F. D. C. No. 22097. Sample Nos. 1857-H, 60387-H.)**

**INFORMATION FILED:** June 20, 1947, Southern District of Florida, against the Russell & Decker Co., a corporation, Fort Myers, Fla.

**ALLEGED SHIPMENT:** On or about April 13 and 20, 1946, from the State of Florida into the States of South Carolina and New York.

**LABEL, IN PART:** "Russell's Tree Ripe Sweetened [or "Natural"] Orange Juice."