

13204. Adulteration and misbranding of canned lime juice. U. S. v. 5 Cases
* * *. (F. D. C. No. 24452. Sample No. 513-K.)

LABEL FILED: March 6, 1948, Middle District of Georgia.

ALLEGED SHIPMENT: On or about October 8, 1947, by Choate & Atkins, from Eustis, Fla.

PRODUCT: 5 cases, each containing 24 1-pint, 2-fluid-ounce cans, of lime juice at Albany, Ga.

LABEL, IN PART: (Large type) "Choate & Atkins Tree-Ripened Lime Juice"; (small type) "With citric acid and water added to improve flavor."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), water had been added to the product to reduce its quality or strength, and citric acid had been added to make it appear better and of greater value than it was. (Examination showed that the product consisted of lime juice, which had been diluted with a large proportion of water and which contained added citric acid.)

Misbranding, Section 403 (a), the prominent label designation "Lime Juice" and the label statements "We offer a Lime Juice * * * Lime or Lemon Juice * * * for 5 glasses of Limeade add $\frac{1}{3}$ cup juice * * * For your health * * *" were false and misleading, since the article was not lime juice and when used as directed on the label, would result in a beverage which had an insignificant quantity of lime juice, but which would appear to contain more than its actual content of lime juice, due to the presence of added citric acid.

DISPOSITION: April 5, 1948. Default decree of condemnation and destruction.

13205. Adulteration of orange sirup. U. S. v. Orange Smile Sirup Co., Inc. Plea of guilty. Fine, \$15. (F. D. C. No. 21458. Sample Nos. 35099-H, 40308-H, 40313-H.)

INFORMATION FILED: February 27, 1947, Eastern District of Missouri, against Orange Smile Sirup Co., Inc., St. Louis, Mo.

ALLEGED SHIPMENT: On or about April 11, 15, and 18, 1946, from the State of Missouri into the State of Arkansas.

LABEL, IN PART: "Commander Line Orange Flavor Contains Concentrated Orange Juice, Orange Oil, Modified Vegetable Oil, An Acidulant, Water, Certified Food Color And A Stabilizer."

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

DISPOSITION: May 8, 1947. The defendant having entered a plea of guilty, the court imposed a fine of \$15.

13206. Adulteration and misbranding of imitation wild cherry sirup and imitation strawberry sirup. U. S. v. 2 Barrels * * * (and 1 other seizure action). (F. D. C. Nos. 22831, 23068. Sample Nos. 68186-H, 68187-H, 68228-H.)

LIBELS FILED: On or about April 18 and June 11, 1947, Western District of Missouri and District of Kansas.

ALLEGED SHIPMENT: On or about June 21 and August 8, 1946, by C. H. McCarter & Co., from Union City, Ind.

PRODUCT: 2 50-gallon barrels of imitation wild cherry sirup at Richmond, Mo., and 3 60-gallon barrels of imitation wild cherry sirup and 6 60-gallon barrels of imitation strawberry sirup at Leavenworth, Kans.

LABEL, IN PART: "Imitation Medium Wild Cherry [or "Strawberry"] Sirup."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), sirups having a strong molasses flavor had been substituted in whole or in part for the articles.

Misbranding (3 barrels of wild cherry and 6 barrels of strawberry sirups), Section 403 (a), the label statements, "Imitation Medium Wild Cherry Sirup contains: Sugar Syrup" and "Imitation Strawberry Syrup Sugar Syrup," were false and misleading; and, Section 403 (i) (2), the products were fabricated from two or more ingredients and the labels failed to bear the common or usual name of each ingredient, since molasses was not declared.

DISPOSITION: June 4 and September 20, 1947. Default decrees of condemnation and destruction.