

FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

14801-14850

FOODS

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Federal Security Agency. Published by direction of the Federal Security Administrator.

PAUL B. DUNBAR, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *January 16, 1950.*

CONTENTS

	Page		Page
Beverages and beverage materials.....	533	Fish and shellfish.....	545
Cereals and cereal products.....	536	Fruits and vegetables.....	547
Bakery products.....	536	Canned and dried fruit.....	547
Flour.....	538	Vegetables and vegetable products.....	549
Macaroni and noodle products.....	539	Tomatoes and tomato products.....	550
Chocolate and candy.....	541	Index.....	552
Dairy products.....	542		
Butter.....	542		

BEVERAGES AND BEVERAGE MATERIALS

14801. Adulteration and misbranding of lemon juice. U. S. v. 22 Cases * * *
(and 1 other seizure action). (F. D. C. Nos. 26092, 26093. Sample Nos. 18293-K, 18294-K.)

LIBELS FILED: November 24, 1948, Northern District of Ohio.

ALLEGED SHIPMENT: On or about September 1, 1948, by the Puritan Company of America, from Chicago, Ill.

PRODUCT: 77 cases, each containing 24 1-pint bottles, of lemon juice at Cleveland, Ohio.

533

LABEL, IN PART: (Bottle) "Realemon Brand 100% Real California Lemon Juice."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water and concentrated lemon juice had been substituted for 100 percent lemon juice; and, Section 402 (b) (4), water had been added to the product and mixed and packed with it so as to increase its bulk and weight and reduce its quality and strength. (The product had been prepared from water and concentrated lemon juice, and examination showed that it contained more water than is needed to reconstitute juice.)

Misbranding, Section 403 (a), the vignette on the label depicting a whole lemon was misleading since it represented and suggested that the product was lemon juice, whereas it was not lemon juice. Further, the following statements on the label were false and misleading as applied to a product which was not real lemon juice but was prepared from concentrated lemon juice and water: "Realemon Brand 100% Real California Lemon Juice * * * Equal to approximately the juice of 16 average lemons. Two tablespoons equal one ounce or about the juice of an average lemon * * * Real lemon juice ready to use * * * Lemon juice varies in color depending upon the season and location in California where the lemons are picked. Write for Free Realemon Recipe Booklet."

The product was alleged also to be misbranded under the provision of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 2723.

DISPOSITION: January 12, 1949. Default decrees of condemnation and destruction.

14802. Adulteration of tomato juice. U. S. v. 1,984 Cases * * *. (F. D. C. No. 25109. Sample No. 6468-K.)

LABEL FILED: July 19, 1948, Western District of New York.

ALLEGED SHIPMENT: On or about June 17 and 18, 1948, by the Francis C. Stokes Co., from Vincentown, N. J.

PRODUCT: 1,984 cases, each containing 6 3-quart cans, of tomato juice at Macedon, N. Y.

LABEL, IN PART: (Can) "Stokes Tomato Juice."

NATURE OF CHARGE. Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: October 21, 1948. John H. Reiners, Jr., receiver of the Francis C. Stokes Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. Seizure was effected of 11,844 3-quart cans of the product. The reconditioning operations resulted in the release of 12,036 46-fluid-ounce cans of passable product.

14803. Adulteration of tomato juice. U. S. v. 184 cases * * * (and 1 other seizure action). (F. D. C. Nos. 26488, 26845. Sample Nos. 20587-K, 46113-K.)

LABELS FILED: January 31, 1949, and on or about March 24, 1949, District of Nebraska and Western District of Missouri.

ALLEGED SHIPMENT: On or about December 7, 1948, and January 3, 1949, by the Vincennes Packing Corp., Vincennes, Ind.