

BEVERAGES AND BEVERAGE MATERIALS

15351. Adulteration of canned citrus cocktail. U. S. v. 76 Cases * * * .
(F. D. C. No. 27831. Sample No. 56614-K.)

LIBEL FILED: September 27, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about August 10, 1946, from Anaheim, Calif.

PRODUCT: 76 cases, each containing 12 1-quart, 14-ounce cans, of citrus cocktail at Peekskill, N. Y. Examination showed that the product was contaminated with lacquer from the cans.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of lacquer. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 29, 1949. Default decree of condemnation and destruction.

15352. Misbranding of canned reconstituted orange juice. U. S. v. 139 Cases * * * .
(F. D. C. No. 27826. Sample No. 1489-K.)

LIBEL FILED: September 9, 1949, Middle District of North Carolina.

ALLEGED SHIPMENT: On or about July 11, 1949, by the J. William Horsey Corp., from Plant City, Fla.

PRODUCT: 139 cases, each containing 24 1-pint, 2-ounce cans, of reconstituted orange juice at Mount Airy, N. C.

LABEL, IN PART: (Can) "Florida Crest Brand Reconstituted Orange Juice."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements, "Reconstituted Orange Juice This pasteurized juice has been processed by concentration and subsequent replacement of the approximate volume of water removed in concentration," together with the vignette depicting oranges and a glass of orange juice, represented and suggested that the article was comparable in all respects, including ascorbic acid content, to orange juice. The statements were false and misleading since the label failed to reveal the fact material in the light of such representations and suggestions that the article contained substantially less ascorbic acid than canned orange juice.

DISPOSITION: October 14, 1949. Default decree of condemnation and destruction.

15353. Adulteration of coffee sweepings. U. S. v. 36 Bags * * * (and 3 other seizure actions). (F. D. C. Nos. 27771, 27773. Sample Nos. 56515-K to 56518-K, incl.)

LIBELS FILED: August 19 and 25, 1949, Southern District of New York.

ALLEGED SHIPMENT: The product was imported into the United States from foreign countries at various times.

PRODUCT: 36 135-pound bags, 23 130-pound bags, and 20 132-pound bags of coffee sweepings at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), a portion of the article consisted in whole or in part of a filthy substance and was otherwise unfit for food by reason of the presence of dirty and crushed coffee beans, rodent excreta, manure fragments, wood splinters, coal fragments, and clumps of dirt; and a portion of the article consisted in whole or in part of a decomposed substance

and was otherwise unfit for food by reason of the presence of mold and foreign mineral substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 10, 1949. Default decrees of condemnation and destruction.

CEREALS AND CEREAL PRODUCTS

CORN MEAL

15354. Adulteration of corn meal. U. S. v. 1,897 Bags * * *. (F. D. C. No. 27744. Sample Nos. 47745-K to 47747-K, incl.)

LIBEL FILED: September 9, 1949, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about July 30 and August 16 and 20, 1949, by the Cadick Milling Co., from Grand View, Ind.

PRODUCT: 510 5-pound bags, 882 10-pound bags, and 505 25-pound bags of corn meal at Bluefield, W. Va.

LABEL, IN PART: "Ballard Degerminated White Corn Meal."

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

DISPOSITION: October 12, 1949. The Cadick Milling Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for conversion into animal feed, under the supervision of the Federal Security Agency.

15355. Adulteration and misbranding of corn meal. U. S. v. 172 Bags * * *. (F. D. C. No. 27788. Sample No. 53990-K.)

LIBEL FILED: On or about August 26, 1949, Northern District of Mississippi.

ALLEGED SHIPMENT: On or about July 27, 1949, by the B & W Mill & Elevator Co., from Red Bay, Ala.

PRODUCT: 172 25-pound bags of corn meal at Clarksdale, Miss. Examination showed that the product contained rodent excreta fragments, rodent hair, and insect fragments, and that each pound of the product contained less than 2 mg. of thiamine, less than 1.2 mg. of riboflavin, and less than 13 mg. of iron.

LABEL, IN PART: "Enriched * * * Sunshine Bolted White Corn Meal Sunshine Mills Red Bay, Ala."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (b) (1), valuable constituents, thiamine, riboflavin, and iron, had been in part omitted from the article.

Misbranding, Section 403 (g) (1), the article purported to be, and was represented as, enriched bolted white corn meal, and it failed to contain the amount of thiamine, riboflavin, and iron prescribed under the regulations relating to the definition and standard of identity for enriched bolted white corn meal.

DISPOSITION: September 27, 1949. Default decree of condemnation and destruction.