

Punch Base"; in that it was an imitation of another food, namely, grape punch base, and its label did not bear, in type of uniform size and prominence, the word "imitation," and immediately thereafter, the name of the food imitated; in that it was fabricated from two or more ingredients, and in that it contained artificial flavor which was not declared in the labeling.

On October 1, 1940, the E. A. Silzle Corporation, claimant, having admitted the allegations of the libel, judgment was entered finding the product misbranded and ordering that it be condemned but that it might be released under bond conditioned that it be properly relabeled.

1204. Adulteration of canned orange juice. U. S. v. 148 Cases of Canned Orange Juice. Default decree of condemnation and destruction. (F. D. C. No. 2647. Sample No. 35366-E.)

This product was undergoing chemical decomposition.

On August 24, 1940, the United States attorney for the Eastern District of Louisiana filed a libel against 148 cases of canned orange juice at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about March 27, 1940, by Val Vita Food Products, Inc., from Fullerton, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Val Vita Brand Pure California Orange Juice."

On September 26, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1205. Adulteration and misbranding of Fresh Fruit Breakfast Orange. U. S. v. 100 Cases of Fresh Fruit Breakfast Orange. Default decree of condemnation and destruction. (F. D. C. No. 3194. Sample Nos. 28126-E, 28127-E, 50017-E.)

This product consisted of orange juice and water with added sugar and citric acid. It was labeled to indicate that it was orange juice and was sold as such.

On October 11, 1940, the United States attorney for the District of Columbia filed a libel against 100 cases of Fresh Fruit Breakfast Orange at Washington, D. C., alleging that the article was in interstate commerce in the District of Columbia at Highland Farms Dairy; and charging that it was adulterated and misbranded.

The following statements (with the exception of that of the quantity of contents) on the bottle label were in conspicuous type: "Guaranteed Fresh Fruit Breakfast Orange Highland Farms Dairy, Washington, D. C. * * * one quart [or "one pint" or "half-pint"] liquid." The bottle cap was labeled with a design of an orange and the following statement in conspicuous type, "Breakfast Orange Guaranteed Fresh Fruit"; and with the following statements in inconspicuous type, "Fifty percent pure fresh fruit orange added lemon juice, sugar, fruit acid."

The article was alleged to be adulterated in that a mixture of orange juice, water, sugar, and citric acid had been substituted for "Fresh Fruit Breakfast Orange"; and in that water, sugar, and citric acid had been mixed or packed with the article in a manner to conceal inferiority and to make it appear better or of greater value than it was.

The article was alleged to be misbranded in that the statements "Guaranteed Fresh Fruit Breakfast Orange * * * Lemon Juice" were false and misleading since they were incorrect; in that it was an imitation orange juice and was not labeled as an imitation; in that the statements of the quantity of contents were inconspicuous; and in that the ingredient water was not declared on the label.

On October 30, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CEREAL PRODUCTS

FLOUR

Nos. 1206 to 1215, inclusive, report seizure and disposition of flour that had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be insect-infested. One of the lots in 1206 also contained rodent hairs.