

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]

1701-1900

FOODS

The cases reported herewith, commenced prior to June 30, 1940, were instituted in the United States District Courts by the United States attorneys acting upon reports submitted by direction of the Secretary of Agriculture; and those commenced on and after that date were similarly instituted upon reports submitted by direction of the Federal Security Administrator.

PAUL V. McNUTT, *Administrator, Federal Security Agency.*

WASHINGTON, D. C., November 3, 1941.

CONTENTS

	Page		Page
Beverages and beverage materials.....	59	Fruits and vegetables.....	75
Tea.....	59	Fresh fruits and vegetables.....	75
Malted milk.....	60	Canned fruits and vegetables.....	75
Fruit juices.....	60	Frozen fruits.....	78
Cereal products.....	61	Tomatoes and tomato products.....	79
Flour.....	61	Dried fruit.....	83
Bakery products.....	62	Meat products.....	84
Macaroni products.....	63	Poultry.....	84
Feed.....	64	Dog and cat foods.....	91
Dairy products.....	65	Nuts.....	92
Butter.....	65	Vegetable oils.....	95
Eggs.....	70	Saccharine products.....	96
Fisheries products.....	71	Candy.....	96
Shellfish.....	71	Miscellaneous.....	111
Canned fish.....	72	Flavors.....	112
Frozen fish.....	74	Spices.....	114
		Index.....	117

BEVERAGES AND BEVERAGE MATERIALS

TEA

1701. Misbranding of tea. U. S. v. 115 Boxes of Tea. Default decree of condemnation. Product ordered distributed to charitable institutions.
(F. D. C. No. 3581. Sample No. 37417-E.)

This product occupied on an average less than two-thirds of the volume of its wax paper lined cartons.

On December 26, 1940, the United States attorney for the Western District of North Carolina filed a libel against 115 boxes of tea at Greenville, S. C., alleging that the article had been shipped in interstate commerce on or about September 28 and November 23, 1940, by the Dwinell-Wright Co. from Boston, Mass.; and charging that it was misbranded in that its container was so made, formed, or filled as to be misleading. The article was labeled in part: (Cartons) "Dixie Home Orange Pekoe and Pekoe Tea."

On February 18, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered distributed to charitable institutions.