

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]

2101-2300

FOODS

The cases reported herewith were instituted in the United States District Courts by the United States attorneys acting upon reports submitted by direction of the Federal Security Administrator.

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

WASHINGTON, D. C., February 21, 1942.

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BEVERAGES AND BEVERAGE MATERIALS

FRUIT JUICES

2101. Adulteration and misbranding of grapefruit juice and grapefruit and orange juice. U. S. v. 856 Cases of Grapefruit Juice and 298 Cases and 286 Cases of Grapefruit and Orange Juice. Default decrees of condemnation and destruction. (F. D. C. Nos. 4829, 4853. Sample Nos. 58198-E, 58202-E, 58204-E.)

Examination of these products disclosed the presence of insect fragments, eggs, and larvae. Furthermore, the labeling of portions bore false and misleading health claims and falsely represented that the products had been canned under sanitary conditions.

On or about May 27 and June 5, 1941, the United States attorney for the Northern District of Iowa filed libels against 856 cases, each containing 12 cans, of grapefruit juice and 584 cases, each containing 24 cans, of grapefruit and orange juice at Cedar Rapids, Iowa, alleging that the articles had been shipped in interstate commerce on or about February 5, March 10, and May 1, 1941, by the Hidalgo County Citrus Association from San Carlos, Tex.; and charging that they were adulterated and misbranded. They were labeled in part: (Grapefruit juice, cans) "Tropic Sweet Brand Texas Unsweetened Grapefruit Juice, Contents 1 Qt. 14 Fluid Oz.," and (grapefruit and orange juice,

cans) "Tropic Sweet Brand Texas Sugar-Added Grapefruit and Orange Juice, Contents 1 Pt. 2 Fluid Oz."

The articles were alleged to be adulterated in that they consisted wholly or in part of filthy substances, and in that they had been prepared under insanitary conditions whereby they might have become contaminated with filth.

The grapefruit juice and a portion of the grapefruit and orange juice were alleged to be misbranded in that the statement "Canned by a scientific and sanitary process which is highly efficient in conserving the health-giving vitamin and mineral elements while at the same time conserving its fresh fruit flavor" was false and misleading since it was not canned by a sanitary process and could not be depended upon to give or restore health.

On July 22, 1941, the Hidalgo County Citrus Association having filed claims but having failed to answer or plead further and being in default, judgments of condemnation were entered and the products were ordered destroyed.

2102. Adulteration of grapefruit juice. U. S. v. 83 Cases of Grapefruit Juice. Default decree of destruction. (F. D. C. No. 4945. Sample No. 58043-E.)

Examination showed that this product contained insect eggs and larvae.

On June 17, 1941, the United States attorney for the District of Minnesota filed a libel against 83 cases, each containing 12 cans, of grapefruit juice at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about January 28, 1941, by Shary Products Co. from Val Verde, Tex.; and charging that it was adulterated. It was labeled in part: (Cans) "Suresweet Texas Grapefruit Juice Net Contents 1 Qt. 14 Fl. Oz. Unsweetened."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On September 8, 1941, no claimant having appeared, judgment was entered ordering that the product be destroyed.

2103. Adulteration of canned lemon juice. U. S. v. 24 Cases and 54 Cans of Lemon Juice. Default decree of condemnation and destruction. (F. D. C. No. 4796. Sample No. 32783-E.)

Examination showed that this product contained enamel lining from the container.

On May 20, 1941, the United States attorney for the District of Maryland filed a libel against 24 cases, each containing 12 cans, and 54 loose cans of lemon juice at Baltimore, Md., alleging that the article had been shipped on or about March 20, 1941, by Empire Freight Co. from Los Angeles, Calif.; and charging that it was adulterated. It was labeled in part: (Cases) "Golden Flow Brand Pure Foods Corp. Los Angeles, Calif."

The article was alleged to be adulterated in that a substance, lemon juice containing enamel lining from the container, had been substituted wholly or in part for lemon juice, which it purported to be.

On June 25, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2104. Misbranding of tomato juice. U. S. v. 32 Cases of Tomato Juice. Default decree of destruction. (F. D. C. No. 5144. Sample No. 50256-E.)

This product was short of the declared volume.

On July 17, 1941, the United States attorney for the Northern District of West Virginia filed a libel against 32 cases, each containing 24 cans, of tomato juice at Fairmont, W. Va., alleging that the article had been shipped on or about March 10, 1941, by the Keystone Cooperative Grape Association from North East, Pa.; and charging that it was misbranded. It was labeled in part: (Can) "North East Tomato Juice."

The article was alleged to be misbranded in that the statement "Contents 1 Pt. 4 Fl. Oz." was false and misleading as applied to an article that was short volume; and in that it was in package form and did not bear a label containing an accurate statement of the quantity of the contents.

On August 26, 1941, no claimant having appeared, judgment was entered ordering that the product be destroyed.

CEREAL PRODUCTS

FLOUR

Nos. 2105 to 2142 (except 2128) report the seizure and disposition of flour that had been shipped in interstate commerce and was in interstate com-