

10005. Adulteration of orange drink. U. S. v. 50 Cases of Orange Drink. Default decree of condemnation and destruction. (F. D. C. No. 17333. Sample No. 4756-H.)

LABEL FILED: August 30, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 4, 1945, by the Holly Beverage Co., from Mount Holly, N. J.

PRODUCT: 50 cases, each containing 24 bottles, of orange beverage at Philadelphia, Pa. This product was sweetened in part with saccharin.

LABEL, IN PART: "Artificial Color Orange Drink Carbonated Beverage Containing Carbonated Water, Sugar, Citric Acid, Orange Oil, and Juice."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, sugar, had been in part omitted from the article; Section 402 (b) (2), a carbonated beverage containing saccharin had been substituted in whole or in part for one sweetened with sugar, which the article was represented to be; and, Section 402 (b) (4), saccharin, a substance having no food value, had been added to the article and mixed and packed with it so as to reduce its quality or strength.

DISPOSITION: September 18, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. The empty bottles were ordered retained in the custody of the consignee.

10006. Adulteration and misbranding of Pineapple Fruit Drink. U. S. v. 95 Cases of Pineapple Fruit Drink. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 17296. Sample No. 7435-H.)

LABEL FILED: August 23, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about July 21, 1945, by the Bay Ridge Packing Co., Rochester, N. Y.

PRODUCT: 95 cases, each containing 12 1-quart bottles, of pineapple beverage at Jersey City, N. J. Analysis showed that this product was an artificially flavored solution of water and sugar with phosphoric acid. It contained no citric acid and a negligible amount, if any, of pineapple juice.

LABEL, IN PART: (Bottles) "Hawaiian Delight Pineapple Fruit Drink."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, pineapple juice, had been in whole or in part omitted from the article; and, Section 402 (b) (2), an artificially flavored solution of water, sugar, and phosphoric acid had been substituted in whole or in part for "Pineapple Fruit Drink," which the article was represented to be.

Misbranding, Section 403 (a), the name, "Hawaiian Delight Pineapple Fruit Drink," and the label statement, "Contains: Pineapple Juice, Syrup, Imitation Pineapple Flavor, Water, Citric Acid," were false and misleading; and, Section 403 (c), the article was an imitation of another food, and its label failed to bear the word "imitation" and, immediately thereafter, the name of the food imitated.

DISPOSITION: November 7, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

10007. Action to enjoin and restrain the manufacture in the District of Columbia and the shipment in interstate commerce of adulterated bakery products. U. S. v. James G. Maselas, trading as the Washington Doughnut Co. Tried to the court. Injunction granted. (Inj. No. 89.)

COMPLAINT FILED: On or about March 14, 1945, District of Columbia, against James G. Maselas, trading as the Washington Doughnut Co., at Washington, D. C. The complaint charged that from on or about March 24, 1944, the defendant had been and would continue manufacturing bakery products under insanitary conditions, whereby the products became, and were, adulterated; and that the defendant had been and would continue introducing and delivering such products into interstate commerce.