

**LABEL, IN PART:** (Bottles) "Southern Grape Drink \* \* \* Contains Pure Grape Juice, Refined Cane Syrup, Citric Acid, Water."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (4), artificial color and citric acid had been added to the article and mixed and packed with it so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (a), the label designation "Grape Drink" was false and misleading as applied to the article, which was an artificially colored and acidulated beverage containing an insignificant amount of grape juice; and, Section 403 (k), the article contained artificial coloring and a chemical preservative, sodium benzoate, and failed to bear labeling stating that fact.

**DISPOSITION:** May 20, 1947. Default decree of condemnation and destruction.

**12810. Adulteration and misbranding of Grape-Ade beverage. U. S. v. 74 Cases \* \* \*. (F. D. C. No. 22643. Sample No. 50170-H.)**

**LIBEL FILED:** March 21, 1947, Western District of Texas.

**ALLEGED SHIPMENT:** On or about October 19, 1946, by the Caltone Corporation, from Anaheim, Calif.

**PRODUCT:** 74 cases, each containing 24 1-pint, 2-ounce cans, of Grape-Ade at San Antonio, Tex. Examination showed that the product was an artificially flavored acidulated mixture of water, grape juice, and sugar.

**LABEL, IN PART:** "Caltone California Grape-Ade Contains Water, Grape Juice Concentrate, Fruit Acid, and Imitation Concord Grape Flavor."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (4), artificial flavor and acid had been added to the article and mixed and packed with it so as to make it appear better and of greater value than it was.

Misbranding, Section 403 (a), the designation "Grape-Ade" and designs of clusters of grapes prominently displayed on the label of the article were misleading as applied to an artificially flavored, acidulated mixture of water, grape juice, and sugar.

**DISPOSITION:** May 27, 1947. No claimant having appeared, and the court having found that the product was adulterated and misbranded, an order was entered directing that the product be delivered for the use of charitable institutions.

**12811. Adulteration and misbranding of grape juice. U. S. v. 45 Cases \* \* \* (and 1 other seizure action). (F. D. C. Nos. 23124, 23125. Sample Nos. 66790-H, 66791-H, 66793-H, 66794-H.)**

**LIBELS FILED:** May 22, 1947, District of New Jersey.

**ALLEGED SHIPMENT:** On or about March 19 and 20, 1947, by Aunt Lil's Food Products, Inc., from Utica, N. Y.

**PRODUCT:** Grape juice. 45 cases at Hoboken, N. J., and 21 cases at Bayonne, N. J. Each case contained 12 1-quart bottles.

**LABEL, IN PART:** "Aunt Lil's Pasteurized Concord Grape Juice."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), water had been substituted in part for grape juice; and, Section 402 (b) (4), water had been added to the article and mixed and packed with it so as to increase its bulk or weight and reduce its quality and strength.

Misbranding, Section 403 (a), the label statement "Concord Grape Juice \* \* \* Sugar Added" was false and misleading as applied to an article containing added water; Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents, since the article was short-volume; and, Section 403 (i) (2), the label of the article failed to bear the common or usual name of each ingredient, since water was not declared.

**DISPOSITION:** July 21, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

**12812. Adulteration of grape-flavored sirup. U. S. v. 3 Barrels \* \* \*. (F. D. C. No. 23348. Sample Nos. 79501-H, 83377-H.)**

**LIBEL FILED:** July 10, 1947, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about June 19, 1947, by the Isaly's Dairy Co., from Columbus, Ohio. This was a return shipment.

**PRODUCT:** 3 50-gallon barrels of grape-flavored sirup at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), saccharin, having no food value, had been substituted in whole or in part for sugar; and, Section 402 (b) (4), saccharin had been mixed and packed with the article so as to reduce its quality and strength and make it appear better and of greater value than it was.

**DISPOSITION:** December 17, 1947. Default decree of condemnation and destruction.

**12813. Adulteration of orange juice and blended orange and grapefruit juice. U. S. v. 133 Cases, etc.** (F. D. C. Nos. 22998, 23056. Sample Nos. 54152-H, 77544-H, 77545-H.)

**LIBELS FILED:** April 26 and May 29, 1947, Southern Districts of Iowa and Indiana, respectively.

**ALLEGED SHIPMENT:** On or about March 11 and 17, 1947, by the J. William Horsey Corporation, from Bartow, Fla.

**PRODUCT:** 318 cases of blended orange and grapefruit juice at Indianapolis, Ind., and 74 cases of the same product and 133 cases of orange juice at Sioux City, Iowa. Each case contained 12 1-quart, 14-fluid ounce cans, of the products.

**LABEL, IN PART:** "Orchard Fresh Brand Blended Orange and Grapefruit Juice \* \* \* Packed for Standard Grocery Co., Indianapolis, Ind.," or "Lush'us Brand Blended Orange and Grapefruit Juice [or "Orange Juice"] \* \* \* Distributed by Affiliated Food Distributors, Inc. Headquarters Chicago, Ill."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), (both lots) the articles consisted in whole or in part of filthy substances by reason of the presence of mold; and, Section 402 (a) (4), (Sioux City lots only) the articles had been prepared under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** May 31 and July 9, 1947. Default decrees of condemnation and forfeiture.

**12814. Adulteration of canned orange juice and blended orange and grapefruit juice. U. S. v. J. William Horsey Corporation. Plea of nolo contendere. Fine, \$750.** (F. D. C. No. 23578. Sample Nos. 54152-H, 77544-H, 77545-H.)

**INFORMATION FILED:** November 5, 1947, Southern District of Florida, against the J. William Horsey Corporation, Bartow, Fla.

**ALLEGED SHIPMENT:** On or about March 11 and 17, 1947, from the State of Florida into the States of Iowa and Indiana.

**LABEL, IN PART:** "Blended J'ce," or "Lush'us Brand Orange Juice [or "Blended Orange and Grapefruit Juice"] Unsweetened \* \* \* Distributed by Affiliated Food Distributors, Inc., Chicago, Ill."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of mold; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** November 12, 1947. A plea of nolo contendere having been entered, the defendant was fined \$750.

**12815. Adulteration of canned orange juice and canned blended orange and grapefruit juice. U. S. v. 79 Cases, etc.** (F. D. C. No. 23360. Sample Nos. 68483-H, 68484-H, 68488-H.)

**LIBEL FILED:** On or about July 18, 1947, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about April 15, 1947, by the De Soto Canning Co., from Arcadia, Fla.

**PRODUCT:** 224 cases, each containing 12 1-quart, 14-ounce cans, of blended orange and grapefruit juice and 119 cases, each containing 24 1-pint, 2-ounce cans, of orange juice at St. Joseph, Mo.

**LABEL, IN PART:** "Pony Express Brand \* \* \* Orange Juice [or "Blended Orange and Grapefruit Juice"]."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of fly eggs, maggots, and whole fruit flies.

**DISPOSITION:** September 3, 1947. Default decree of destruction.