

CHOCOLATE-MALTED MILK

1702. Adulteration and misbranding of chocolate-malted milk. U. S. v. 38 Cans of Chocolate-Flavored Malted Milk. Default decree of condemnation and destruction. (F. D. C. No. 3879. Sample No. 36767-E.)

This product was deficient in malted milk and contained only approximately one-half the amount of vitamin B declared in the label.

On February 26, 1941, the United States attorney for the District of Massachusetts filed a libel (amended on or about March 11, 1941) against 38 cans of the above-named product at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about December 13, 1940, by the Richardson Laboratories Co. from Toledo, Ohio; and charging that it was adulterated and misbranded. The article was labeled in part: (Cans) "Freshman's Vitamized Chocolate Flavored Malted Milk * * * Distributed by Freshman Vitamin Co., Detroit, Mich."

The article was alleged to be adulterated in that a substance consisting essentially of a mixture of sugar, cocoa, wheat germ embryo, a small amount of dried milk, and a small amount of malted milk had been substituted wholly or in part for "Vitamized Chocolate Flavored Malted Milk, Sweetened," which it purported to be; and in that a valuable substance, vitamin B, had been in whole or in part omitted or abstracted therefrom.

It was alleged to be misbranded in that the statements, "Vitamized Chocolate Flavored Malted Milk, Sweetened" and "Contains not less than 200 international units Vitamin B per ounce" were false and misleading; and in that it was offered for sale under the name of another food.

On April 14, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FRUIT JUICES

1703. Adulteration of pineapple juice. U. S. v. 249, 250, and 806 Cases of Pineapple Juice. Default decrees of condemnation and destruction. (F. D. C. Nos. 3397, 3397-A, 3489. Sample Nos. 8213-E, 8214-E, 38433-E.)

This product contained insect fragments and in some instances moldy pineapple tissues, and it had a taste and odor indicating decomposition.

Between November 18, 1940, and February 14, 1941, the United States attorney for the District of Minnesota filed libels against 1,305 cases of pineapple juice at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about August 7 and 8, 1940, by the Southwest Products Co. from McAllen, Tex.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance. The article was labeled in part: "The Bounty Brand Pineapple Juice."

On January 31 and April 23, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

1704. Adulteration of tomato juice. U. S. v. 157 Cases of Tomato Juice. Default decree of condemnation and destruction. (F. D. C. No. 3703. Sample No. 20919-E.)

This product contained excessive mold, indicating the presence of decomposed material.

On January 27, 1941, the United States attorney for the Western District of North Carolina filed a libel against 157 cases of tomato juice at Charlotte, N. C., alleging that the article had been shipped in interstate commerce on or about August 28, 1940, by the Apte Bros. from Woodside, Del.; 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: (Cans) "Lord Fairfax Brand Tomato Juice."

On February 21, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1705. Adulteration of tomato juice. U. S. v. 149 Cases of Tomato Juice. Default decree of condemnation and destruction. (F. D. C. No. 4022. Sample No. 47415-E.)

This product was undergoing progressive decomposition and had an unpleasant metallic taste.

On March 25, 1941, the United States attorney for the Northern District of Illinois filed a libel against 149 cases of tomato juice at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about June 3,