

PRODUCT: 49 cases, each containing 24 jars, of concentrated orange juice, at Chicago, Ill.

LABEL, IN PART: (Jars) "Four-in-One-Brand Concentrated California Orange Juice. Four Gallons Standardized Orange Juice Concentrated to One Contents 12 Fluid Ounces," or "Four-in-One-Brand Concentrated California Orange Juice. Three Pints Concentrated To Contents 12 Fluid Ounces * * * High in Vitamin 'C' content."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), orange juice which had been concentrated at the rate of approximately three parts of fresh orange juice to one part of concentrated orange juice had been substituted for the article, and in addition (portion), concentrated orange juice low in vitamin C content had been substituted for concentrated orange juice high in vitamin C content.

Misbranding, Section 403 (a), the statements in the labeling, (portion) "Four-in-One * * * Four Gallons Standardized Orange Juice Concentrated to One Contents 12 Fluid Ounces Makes Three Pints Orange Juice," and (portion) "Four-in-One * * * Three Pints Concentrated to Contents 12 Fluid Ounces * * * Add Water to Make Three Pints * * * High in Vitamin 'C' content," were false and misleading as applied to orange juice which had been concentrated at the rate of approximately three parts of fresh orange juice to one part of concentrated orange juice, and (portion) which was low in vitamin C content; and the statement "Contents 12 Fluid Ounces" was false and misleading as applied to the article, which was short volume; Section 403 (b), the article was offered for sale under the name of another food, "Four-in-One Concentrated Orange Juice"; and, Section 403 (e) (2), the article was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: March 17, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal agency, for its use and not for sale.

6588. Misbranding of peanut butter. U. S. v. Pacific Food Products Co. Plea of nolo contendere. Fine, \$750 and costs. (F. D. C. No. 11377. Sample Nos. 42854-F, 42878-F, 43116-F.)

INFORMATION FILED: On May 12, 1944, in the Western District of Washington, against the Pacific Food Products Co., a corporation, Seattle, Wash.

ALLEGED SHIPMENT: From on or about June 28 to August 21, 1943, from the State of Washington into the States of Idaho and Oregon.

LABEL, IN PART: "Sunny Jim Brand * * * Contents 2 Lbs."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement "Contents 2 Lbs." on the label of the article, was false and misleading as the article contained less than the declared weight; Section 403 (a), the statement on the label, "Processed Rich in Vitamin D", was false and misleading as applied to the article, which contained an inconsequential amount, if any, of vitamin D; Section 403 (e) (2), the article was in package form and did not bear a label containing an accurate statement of the quantity of the contents in terms of weight; and, Section 403 (j), it purported to be and was represented as a food for special dietary use by man by reason of its vitamin properties, and its label did not bear, as required by the regulations, a statement of the proportion of the minimum daily requirement for vitamin D which would be supplied by the food when consumed in a specified quantity during a period of 1 day.

DISPOSITION: May 29, 1944. A plea of nolo contendere having been entered, a fine of \$250 and costs on count 1, and \$250 on each of counts 2 and 3 was imposed.

6589. Adulteration and misbranding of Spark O'Life. U. S. v. 33 Cases of Spark O'Life. Tried to the court. Judgment for the Government. Decree of condemnation and destruction. (F. D. C. No. 10055. Sample No. 3706-F.)

LIBEL FILED: June 7, 1943, Northern District of Oklahoma.

ALLEGED SHIPMENT: On or about April 3 and 22, 1943, by the Kansas Milling Co., Wichita, Kans.

PRODUCT: 33 cases, each containing 12 1-pound bottles, of Spark O'Life, at Tulsa, Okla.

LABEL, IN PART: "Spark O'Life New Process, Sugar Coated Treated to Preserve the Rich Qualities of Wheat Germ." (Vignette of football player, baseball player, golfer, and swimmer.)