

BEVERAGES AND BEVERAGE MATERIALS

14501. Adulteration of green coffee. U. S. v. 204 Bags * * *. (F. D. C. No. 25989. Sample No. 2296-K.

LIBEL FILED: October 29, 1948, District of Maryland.

ALLEGED SHIPMENT: On or about June 11, 1948, from Medellin, Colombia.

PRODUCT: 204 bags, each containing approximately 154 pounds, of green coffee at Baltimore, Md.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 22, 1948. Eppens, Smith Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The salvaging operations resulted in the destruction of 573 pounds of coffee.

14502. Adulteration and misbranding of canned orangeade. U. S. v. 298 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 26084, 26148 Sample Nos. 1125-K, 23908-K.)

LIBELS FILED: On or about December 6 and 22, 1948, Northern District of Georgia and Northern District of Alabama.

ALLEGED SHIPMENT: On or about October 4 and November 12, 1948, by the Foster Citrus Concentrates, Inc., from Dunedin, Fla.

PRODUCT: 617 cases, each containing 12 46-ounce cans of orangeade at Atlanta, Ga., and Birmingham, Ala.

LABEL, IN PART: "Hi-C Vitamin Enriched Brand Orange Ade."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed orange material; Section 402 (b) (1), a valuable constituent ascorbic acid (vitamin C), had been in whole or in part omitted from the article; and, Section 402 (b) (4), artificial color had been added to the article and mixed and packed with it so as to make it appear better or of greater value than it was.

Misbranding, Section 403 (a), the vignette of a half of an orange, together with a glass of orange juice and a picture of juice dripping from a half of an orange into a glass, were misleading since they suggested that the article was orange juice, whereas it was not orange juice. Further misbranding, Section 403 (a), certain label statements were false and misleading. These statements suggested that the article was equal to or superior to orange juice as a source of vitamin C, that use of the article would be effective in building sound teeth and bones and resistance to fatigue and colds, and that the article contained 30 milligrams of vitamin C per 16 ounces of the product. The article was not equal to orange juice as a source of vitamin C; it would not be effective in building sound teeth and bones and resistance to fatigue and colds; and it contained less than the stated amount of vitamin C.

DISPOSITION: January 6 and February 7, 1949. Default decrees of condemnation and destruction.