

**BEVERAGES AND BEVERAGE MATERIALS**

**14851. Action to enjoin and restrain the interstate shipment of fruit juices.**  
**U. S. v. Ray A. Keymel Co., Inc. Consent decree granting injunction.**  
(Inj. No. 201.)

**COMPLAINT FILED:** October 4, 1948, Western District of New York, against Ray A. Keymel Co., Inc., Ontario, N. Y.

**NATURE OF CHARGE:** That the defendant had been and was at the time introducing and delivering for introduction into interstate commerce at Ontario, N. Y., fruit juices which were adulterated in the following respects: Section 402 (a) (3), the products consisted in whole or in part of filthy and decomposed substances, such as decayed fruit material; and, Section 402 (a) (4), the products had been and were still being prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

The complaint alleged further that the filthy and decomposed substances of which the products consisted, in whole or in part, were derived from rotten, decayed, moldy, and wholly or partly fermented fruit which was pressed by the defendant to obtain the fruit juices; that the insanitary conditions in the defendant's plant consisted of, and resulted from, the use in the manufacture of the fruit juices of rotten, decayed, moldy, and wholly or partly fermented fruit, the presence of vinegar flies and other insects in and around the plant, the equipment used in preparing, packing, and holding the juices, and also from general carelessness on the part of the defendant; and that the defendant continued to ship in interstate commerce adulterated fruit juices and would continue to so ship such fruit juices unless enjoined from so doing.

**PRAYER OF COMPLAINT:** That the defendant be perpetually enjoined from commission of the acts complained of and that a preliminary injunction be granted during the pendency of the action.

**DISPOSITION:** November 23, 1948. The defendant having consented to the entry of a decree, the court issued an order perpetually enjoining the defendant from shipping in interstate commerce any fruit juices which were adulterated as alleged in the complaint.

**14852. Misbranding of Bevco Stabilizer. U. S. v. 7 Bottles \* \* \*. (F. D. C. No. 26867. Sample No. 20200-K.)**

**LIBEL FILED:** On or about March 25, 1949, Eastern District of Oklahoma.

**ALLEGED SHIPMENT:** On or about October 20, 1948, by Chandler Laboratories, Inc., from Philadelphia, Pa.

**PRODUCT:** 7 1-gallon bottles of Bevco Stabilizer at Seminole, Okla.

**LABEL, IN PART:** "Bevco Stabilizer \* \* \* Directions Use  $\frac{1}{2}$  ounce to each gallon of prepared syrup or to 6 gallons of finished product \* \* \* contains less than 2 $\frac{1}{2}$ % pure quaternary ammonium chloride."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the labeling was misleading since the trade name Bevco appearing thereon, coupled with the directions for use, represented to purchasers that the product was wholesome and suitable for use as a component for beverages for man, whereas the product contained a quaternary ammonium compound which is a poisonous and deleterious substance, and the labeling failed to reveal that fact.

**DISPOSITION:** June 21, 1949. Default decree of condemnation and destruction.