

BEVERAGES AND BEVERAGE MATERIALS

18901. Misbranding of grape beverage. U. S. v. 199 Cases * * *. (F. D. C. No. 32906. Sample No. 8360-L.)

LIBEL FILED: March 22, 1952, Northern District of New York.

ALLEGED SHIPMENT: On or about June 5, 1950, by Choate & Atkins, from Eustis, Fla.

PRODUCT: 199 cases, each containing 12 1-quart, 14-fluid-ounce cans of grape beverage at Utica, N. Y.

LABEL, IN PART: "Choate & Atkins Delicious * * * Grape Beverage."

NATURE OF CHARGE: Misbranding, Section 403 (a), the vignette depicting a glass of purple liquid and 2 bunches of grapes and the statements which appeared on the label "Grape Beverage * * * This grape beverage is prepared by the careful blending of grape juice" were false and misleading since the article contained little or no grape juice. (Examination disclosed that the article was an artificially flavored and colored green liquid which contained little or no grape juice.)

DISPOSITION: April 24, 1952. Default decree of condemnation and destruction.

18902. Adulteration of coffee beans. U. S. v. 6 Unlabeled Bags * * * (and 1 other seizure action). (F. D. C. Nos. 32231, 32233. Sample Nos. 23944-L, 23945-L, 36831-L, 36832-L.)

LIBELS FILED: On or about December 20, 1951, Southern District of New York.

ALLEGED SHIPMENT: The product was an accumulation from various importations.

PRODUCT: 19 unlabeled bags of coffee beans at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta, dirt, and other foreign material. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 25, 1952. Default decrees of condemnation and destruction.

18903. Adulteration of coffee concentrate. U. S. v. 211 Cases * * *. (F. D. C. No. 32912. Sample No. 16466-L.)

LIBEL FILED: On or about March 26, 1952, Northern District of Oklahoma.

ALLEGED SHIPMENT: On or about October 15, 1951, from Dubuque, Iowa.

PRODUCT: 211 cases, each containing 24 6-ounce bottles, of coffee concentrate at Bristow, Okla.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination disclosed that the product was undergoing progressive decomposition.) It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 18, 1952. Default decree of condemnation and destruction.