30826. Adulteration and misbranding of imitation flavors. U. S. v. 2 Bottles of Imitation Wild Cherry Flavor and 1 Bottle of Imitation Strawberry Flavor. Default decree of condemnation and destruction. (F. & D. Nos. 41317, 41318. Sample Nos. 36786–C, 36787–C.)

These products contained about 40 percent and 80 percent, respectively, of a glycol or a glycol ether, or both, poisons.

On January 4, 1938, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 3 gallon bottles of the above-named imitation flavors at Nashville, Tenn.; alleging that the articles had been shipped in interstate commerce on or about October 7, 1937, by Alex Fries & Bros., Inc., from Cincinnati, Ohio; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that products containing a poisonous substance, namely, a glycol or a glycol ether, or both, had been substituted wholly or in part for "Imitation Wild Cherry Flavor-Hard Candy" and "Imitation Strawberry-Flavor Hard Candy." Adulteration was alleged further in that the articles contained an added poisonous or deleterious ingredient, namely, a glycol, or a glycol ether, or both, which might have rendered them injurious to health.

Misbranding was alleged in that the statements on the labels, "Imitation Wild Cherry Flavor" and "Imitation Strawberry Flavor," were false and misleading and tended to deceive and mislead the purchaser. The articles were alleged to be misbranded further in that they were offered for sale under the distinctive names of other articles, namely, food flavors.

On September 21, 1938, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30827. Adulteration of frozen fish. U. S. v. 127 Boxes of Perch Fillets (and 4 other seizure actions against similar products). Default decrees of condemnation. Certain lots ordered destroyed; remainder ordered converted into fertilizer. (F. & D. Nos. 44841, 44843, 44844, 44942, 45221. Sample Nos. 51429–D, 53058–D, 53059–D, 54315–D, 54343–D.)

These products had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination certain lots were found to be in part decomposed; others contained parasitic worms.

On various dates between February 17 and April 21, 1939, the United States attorneys for the Northern District of Illinois, the Southern District of Iowa, the Northern District of Iowa, and the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 127 boxes of red perch fillets and 35 boxes of whiting at Chicago, Ill., 238 boxes of ocean perch at Davenport, Iowa, 100 boxes of red perch fillets at Cedar Rapids, Iowa, and 960 boxes of skinless fillets at Philadelphia, Pa.; alleging that the articles had been shipped within the period from on or about January 28, 1939, to on or about April 17, 1939, in part from Gloucester, Mass., and in part from Cleveland, Ohio, by Slade Gorton Co.; and charging adulteration in violation of the Food and Drugs Act. The articles were labeled in part: "Ocean Perch," "Cape Ann H and G Trap Whiting," "Red Perch Fillets," and "Frozen Icybay Skinless Cape Blue Fillets."

Portions were alleged to be adulterated in that they consisted wholly or in part of decomposed animal substances, others in that they consisted wholly or in part of filthy animal substances.

On March 27, April 24, and May 25 and 29, 1939, no claimant having appeared, judgments of condemnation were entered and the lots seized at Chicago, Ill., were ordered converted into fertilizer and the remaining lots were ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30828. Adulteration of crab meat. U. S. v. 192 Pounds of White Crab Meat. Default decree of condemnation and destruction. (F. & D. No. 45529, Sample No. 62952–D.)

This product contained evidence of the presence of filth.

On June 9, 1939, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 192 pounds of crab meat at Baltimore, Md.; alleging that the article had been shipped in interstate commerce