

Germ. It is one of the best known sources of Vitamin B (whole complex) and E and is a good source of Vitamin A. It contains iron, phosphorous, sodium, potassium, zinc, copper, manganese, calcium and magnesium, all of which are essential to our mineral economy, in forms which are easily assimilated. Wheat Germ is in truth 'Nature's own health tonic in its pure virgin wholeness,' were false and misleading since they created the impression that wheat germ is a consequential source of vitamins A, B, E, and G and the minerals iron, phosphorus, sodium, potassium, zinc, copper, manganese, calcium and magnesium; whereas, while wheat germ may be considered as a consequential source of vitamin B and phosphorus, the contribution to the dietary intake of the other vitamins and minerals contained in wheat germ is inconsequential. It was alleged to be misbranded further in that representations in the labeling that it was efficacious in the treatment of a wide variety of diseases and abnormalities of the body, such as secondary anemia, cataracts of the eye, sterility, and alcoholic diseases, were false and misleading in that it would not be efficacious for such purposes.

It was also charged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices.

On March 25, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS

3223. Adulteration and misbranding of lemon flavor. U. S. v. 234 Quarts of Lemon Flavor. Default decree of condemnation and destruction. (F. D. C. No. 6700. Sample No. 40801-E.)

This product was deficient in lemon oil since it contained only approximately 9 percent while the label declared 20 percent.

On January 14, 1942, the United States attorney for the Eastern District of Pennsylvania filed a libel against 234 quarts of lemon flavor at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or before December 24, 1940, by Francis H. Leggett & Co. from New York, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part: "Lemon Flavor Non-alcoholic."

The article was alleged to be adulterated in that a nonalcoholic lemon flavor containing less than 20 percent of oil of lemon had been substituted for non-alcoholic lemon flavor containing 20 percent of oil of lemon.

It was alleged to be misbranded in that the statements, "Formula: Oil of lemon (U. S. P. (by volume)) 20 Per Cent" and "This lemon flavor has four times the flavoring strength of ordinary commercial lemon extracts. One teaspoonful of this flavor is equal in strength to four teaspoonfuls of commercial extract and should be used accordingly," were false and misleading since it contained less than 20 percent of oil of lemon.

On June 5, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3224. Adulteration of ground black pepper. U. S. v. 4 Barrels of Black Pepper. Default decree of condemnation and destruction. (F. D. C. No. 6551. Sample No. 90267-E.)

This product contained rodent hairs and insect fragments.

On December 22, 1941, the United States attorney for the District of Massachusetts filed a libel against 4 barrels of black pepper at Malden, Mass., alleging that the article had been shipped in interstate commerce on or about September 8, 1941, by Wood & Selick, Inc., from New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: (Barrels) "Favorite Brand Black Pepper."

On March 23, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3225. Misbranding of gelatin. U. S. v. 22 Cases of Gelatin. Default decree of condemnation and destruction. (F. D. C. No. 5386. Sample No. 60855-E.)

Examination showed that the two envelopes, each containing 1 tablespoonful of gelatin, enclosed in the box in which the product was packaged, occupied only about 25 percent of the capacity of the box.