

# United States Department of Agriculture

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

19001-19025

[Approved by the Secretary of Agriculture, Washington, D. C., June 22, 1932]

**19001. Adulteration and misbranding of flavoring sirups. U. S. v. 10/12 Dozen Bottles of Imitation Apricot Non-Alcoholic Cordial, et al. Default decree of condemnation, forfeiture, and destruction. F. & D. No. 27070. I. S. Nos. 39489, 39490, 39491. S. No. 5265.)**

Examination of samples of flavoring sirups showed that the pineapple and raspberry sirups were deficient in fruit and were artificially colored, and that the so-called apricot nonalcoholic cordial was not labeled so as to indicate plainly that it was an imitation.

On October 13, 1931, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of ten-twelfths dozen bottles of imitation apricot nonalcoholic cordial, 3½ dozen bottles of pineapple sirup, and 1½ dozen bottles of raspberry sirup, remaining in the original unbroken packages at Baltimore, Md., alleging that the articles had been shipped by the L. E. Jung & Wulff Co. (Inc.), from New Orleans, La., on or about June 9, 1931, and had been transported from the State of Louisiana into the State of Maryland, and charging that the apricot nonalcoholic cordial was misbranded and that the pineapple and raspberry sirups were adulterated and misbranded in violation of the food and drugs act. The articles were labeled in part, variously: "Imitation Apricot Non-Alcoholic Cordial A Stimulating Beverage Imitation Flavor and Color \* \* \* L. E. Jung & Wulff Co., Incorporated, New Orleans, La.;" "L. E. Jung & Wulff Co., Inc. Pineapple Syrup [or "Raspberry Syrup Artificial Color"] Vegetable Color \* \* \* Non-Alcoholic High Grade Cordials and Manufacturers of Syrups, New Orleans."

It was alleged in the libel that the pineapple and raspberry sirups were adulterated in that substances deficient in fruit and artificially colored had been mixed and packed with and substituted in part for the articles, and for the further reason that the said articles had been colored in a manner whereby inferiority was concealed.

Misbranding of the said pineapple and raspberry sirups was alleged for the reason that the statements, "Pineapple Syrup" and "Raspberry Syrup," were false and misleading and deceived and misled the purchaser; and for the further reason that the articles were offered for sale under the distinctive names of other articles. Misbranding of the imitation apricot nonalcoholic cordial was alleged for the reason that it was not labeled, branded, or tagged so as to indicate plainly that it was an imitation in that the label failed to bear a clear statement of the principal or essential ingredients composing the article.

On November 16, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19002. Adulteration of canned salmon. U. S. v. 1,588 Cases, et al., of Canned Salmon. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 26929, 26969. I. S. Nos. 22331, 22335. S. Nos. 5142, 5185.)**

Samples of canned salmon from the shipments herein described having been found to be tainted or stale, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.