

25198. Adulteration and misbranding of honey. U. S. v. 88 Jars of Tasty Brand Pure Honey. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 35870. Sample nos. 42322-B, 42329-B.)

This case involved an interstate shipment of honey, so-called, which was found to be a mixture of sucrose and commercial glucose and to contain little or no honey.

On August 7, 1935, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 88 jars of a product described as honey at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 28, 1935, by the Ordower Dist. Co. from Newark, N. J., and that it was adulterated and misbranded in violation of the Food and Drugs Act. The article was labeled: "Tasty Brand Pure Honey Ordower Dist. Co. Newark, N. J."

The article was alleged to be adulterated in that a mixture of sucrose and commercial glucose containing little or no honey had been substituted for pure honey which the product purported to be.

The article was alleged to be misbranded (1) in that the statement on the label, "Pure Honey", was false and misleading and tended to deceive and mislead the purchaser when applied to a mixture of sucrose and commercial glucose containing little or no honey, and (2) in that it was offered for sale under the distinctive name of another article, honey.

On September 5, 1935, no claimant having appeared, judgment of condemnation and forfeiture was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25199. Misbranding of cake flavor. U. S. v. 116 Cartons and 79 Dozen Bottles of Peeko Cake Flavor. Default decree of condemnation and destruction. (F. & D. nos. 36132, 36133. Sample nos. 24482-B, 24483-B.)

These cases involved a nonalcoholic imitation of vanilla flavor which was falsely represented on the label as a double-flavor vanilla extract.

On August 13, 1935, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court two libels praying seizure and condemnation of 116 cartons and 79 dozen bottles of an article, described on the label as Peeko Cake Flavor at Philadelphia, Pa., alleging that the article had been shipped on or about June 6 and June 8, 1935, by Pichel Products Co., Inc., from New York, N. Y., and that it was misbranded in violation of the Food and Drugs Act. The article was labeled in part: "Peeko Cake Flavor * * * A Delicious Flavor for Cakes, Puddings and Sauces Twice As Strong As Vanilla Pichel Products Co., Inc. New York * * * 'Use in Place of Vanilla' Twice as Strong Richer In Flavor * * * Use Only One-Half the quantity of Peeko Cake Flavor whenever a recipe calls for Vanilla."

The article was alleged to be misbranded (1) in that the statements on the label, "Twice as Strong as Vanilla * * * 'Use in Place of Vanilla' Twice as Strong Richer in Flavor * * * Use Only One-Half the quantity of Peeko Cake Flavor whenever a recipe calls for Vanilla", were false and misleading and tended to deceive and mislead the purchaser, since they implied that the article was a double-strength vanilla extract; whereas it was a non-alcoholic imitation of vanilla flavor; and (2) in that it was an imitation of another article, vanilla extract, and was not so labeled.

On September 4, 1935, no claimant having appeared, judgment of condemnation and forfeiture was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25200. Misbranding of wheat gray shorts and wheat screenings. U. S. v. Washburn Crosby Co. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. no. 35942. Sample no. 27412-B.)

This case was based on an interstate shipment of wheat gray shorts and wheat screenings which were found to have a greater fiber content than the maximum represented on the label.

On August 30, 1935, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed an information in the district court against the Washburn Crosby Co., a corporation, Kansas City, Mo., charging shipment by said corporation in violation of the Food and Drugs Act on or about November 26, 1935, from the State of Missouri