

28585. Adulteration and misbranding of imitation raspberry, pineapple, and wild cherry essences. U. S. v. 11½ Gallons of Imitation Fruit Essences. Default decree of condemnation and destruction. (F. & D. Nos. 40892, 40893, 40894. Sample Nos. 62684-C, 62685-C, 62686-C.)

These products contained monoethyl ether of diethylene glycol, a poison.

On November 22, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 11½ gallons of imitation fruit essences at Philadelphia, Pa., alleging that the articles had been shipped in interstate commerce on various dates between September 8 and October 22, 1937, from Brooklyn, N. Y., by J. N. Hickok & Son, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "J. N. Hickok & Son."

They were alleged to be adulterated in that products containing diethylene glycol monoethyl ether, a poison, had been substituted for "Imitation Raspberry [or "Pineapple" or "Wild Cherry"] Essence contains Esters, Volatile Oils, Vegetable Tincture and Cologne Spirits"; and in that they contained an added poisonous or deleterious ingredient, diethylene glycol monoethyl ether, which might have rendered them injurious to health.

Misbranding was alleged in that the statements, "Imitation Raspberry [or "Pineapple" or "Wild Cherry"] Essence contains Esters, Volatile Oils, Vegetable Tincture and Cologne Spirits," were false and misleading and tended to deceive and mislead the purchaser when applied to articles containing diethylene glycol monoethyl ether.

On January 22, 1938, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

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

28586. Adulteration and misbranding of imitation rum flavor. U. S. v. 1 Gallon and 1 Gallon of "Conc. Rum Flavor Imit." Default decrees of condemnation and destruction. (F. & D. Nos. 41468, 41469. Sample Nos. 7981-D, 7982-D.)

Samples of this product contained 15 and 25 percent, respectively, of carbitol, a solvent composed of a glycol or a glycol ether, or both, poisons.

On January 19, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 2 gallons of imitation rum flavor at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about December 4 and 17, 1937, from New York, N. Y., by Leonard J. Hymes, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Leonard J. Hymes * * * Conc. Rum Flavor Imit. * * * New York."

It was alleged to be adulterated in that a product containing a poisonous substance, a glycol or a glycol ether, or both, had been substituted for "Conc. Rum Flavor Imit.," which it purported to be; and in that it contained an added poisonous or deleterious ingredient, a glycol or a glycol ether, or both, which might have rendered it injurious to health.

The article was alleged to be misbranded in that the statement "Conc. Rum Flavor Imit." was false and misleading and tended to deceive and mislead the purchaser when applied to an article containing a glycol or a glycol ether, or both, poisons; and in that it was offered for sale under the distinctive name of another article.

On March 16, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

28587. Adulteration and misbranding of imitation flavors. U. S. v. 2 Bottles of Imitation Honey Flavor and 2 Bottles of Imitation Cherry with Pit Flavor. Default decrees of condemnation and destruction. (F. & D. Nos. 41299, 41300. Sample Nos. 28448-C, 28449-C.)

Samples of these products contained 55 and 60 percent, respectively, of carbitol, a solvent composed of a poison—a glycol or a glycol ether, or both.

On December 31, 1937, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of four bottles of the above-described products at Pittsburgh, Pa., alleging that they had been shipped in interstate commerce on or about October 9, 1937, from New York, N. Y., by Schimmel & Co. Inc., and charging adulteration and misbranding in