

**28598. Adulteration and misbranding of imitation lemon flavor. U. S. v. 7 Cases of Imitation Lemon Flavor. Default decree of condemnation and destruction. (F. & D. No. 41333. Sample No. 61503-C.)**

This product contained about 18 percent of diethylene glycol, a poison.

On January 7, 1938, the United States attorney for the Middle District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of seven cases of imitation lemon flavor at Greensboro, N. C., alleging that the article had been shipped in interstate commerce on or about November 12, 1937, from Petersburg, Va., by the Spartan Products Corporation, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Delight Brand Imitation Lemon Flavor \* \* \* Manufactured by Southern Chemical Co., Petersburg, Va."

It was alleged to be adulterated in that a product containing a poisonous substance, a glycol, had been substituted in whole or in part for a food flavor, which it purported to be; and in that it contained an added poisonous or deleterious ingredient, a glycol, which might have rendered it injurious to health.

Misbranding was alleged in that the statement "Imitation Lemon Flavor" was false and misleading and tended to deceive and mislead the purchaser when applied to an article containing a glycol, a poison; and in that the article was offered for sale under the distinctive name of another article, a food flavor.

On February 5, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**28599. Adulteration and misbranding of imitation flavors. U. S. v. 1½ Gallons of Imitation Rum Flavor and Five 1-Gallon Jugs of Imitation Pineapple Flavor. Default decrees of condemnation and destruction. (F. & D. Nos. 41050, 41179. Sample Nos. 55639-C, 73026-C.)**

Samples of these products were found to contain 60 percent and 80 percent, respectively, of a glycol or a glycol ether, or both, poisons.

On December 9 and December 18, 1937, the United States attorneys for the Eastern District of Missouri and the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 1½ gallons of imitation rum flavor at St. Louis, Mo., and 5 gallon jugs of imitation pineapple flavor at Malden, Mass., alleging that the articles had been shipped in interstate commerce on or about November 16 and November 23, 1937, by the Felton Chemical Co. from Brooklyn, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Felton Chemical Company, Inc."

They were alleged to be adulterated in that products containing a glycol or a glycol ether, or both, had been substituted wholly or in part for the articles. They were alleged to be adulterated further in that they contained added poisonous or deleterious ingredients, a glycol or a glycol ether, or both, which might have rendered them injurious to health.

They were alleged to be misbranded in that the statements on their respective labels, "Imitation Flavor Pineapple" and "Imitation Rum Flavor," were false and misleading and tended to deceive and mislead the purchaser when applied to articles containing a glycol or a glycol ether, or both. The imitation pineapple flavor was alleged to be misbranded further in that it was offered for sale under the distinctive name of another article, "Imitation Flavor Pineapple," a food flavor.

On February 11 and March 14, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

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

**28600. Adulteration and misbranding of imitation lemon flavor. U. S. v. 120 Bottles of Imitation Lemon Flavor. Default decree of condemnation and destruction. (F. & D. No. 41203. Sample No. 47375-C.)**

This product contained carbitol, a commercial solvent composed of a poison—a glycol or a glycol ether, or both.

On December 24, 1937, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 120 bottles of flavor at Evansville, Ind., alleging that the article had been shipped in interstate commerce on or about November 22, 1937, from Louisville, Ky., by Vertrees

Manufacturing Co., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Big-Ten Jr. \* \* \* Imitation Lemon Flavor \* \* \* Vertrees Manufacturing Co. Louisville, Ky."

It was alleged to be adulterated in that a product containing a glycol or a glycol ether, or both, poisons, had been substituted in whole or in part for a food flavor, which it purported to be.

The article was alleged to be misbranded in that the statement "Imitation Lemon Flavoring," appearing on the label, was false and misleading and tended to deceive and mislead the purchaser when applied to a product 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, a food flavor.

On February 24, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**28601. Adulteration and misbranding of imitation flavor. U. S. v. 2 Bottles of Black Walnut Flavoring. Default decree of condemnation and destruction. (F. & D. No. 41404. Sample No. 75708-C.)**

This product contained about 50 percent of carbitol, a solvent composed of a glycol or a glycol ether, or both, poisons.

On January 13, 1938, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of two bottles of black walnut flavoring at Kingston, Pa., alleging that the article had been shipped in interstate commerce on or about October 4, 1937, from New York, N. Y., by Ross & Rowe, Inc., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Fries 'Tru-Conomy' Flavors \* \* \* Black Walnut Imitation \* \* \* Ross & Rowe, Inc., Sole Distributors, New York, Chicago."

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 in whole or in part for a food flavor, which the article 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 "Black Walnut Flavoring" 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, a food flavor.

On February 7, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**28602. Adulteration of flour. U. S. v. 177 Sacks of Flour. Consent decree of condemnation. Product released under bond to be disposed of for some purpose other than human consumption. (F. & D. No. 40422. Sample No. 43832-C.)**

This product was infested with weevils.

On or about October 6, 1937, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 177 sacks of flour at Savannah, Ga., alleging that the article had been shipped in interstate commerce on or about April 1, 1937, from Enid, Okla., by Pillsbury Flour Mills Co., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Southern-Gold-Medal-Flr-Co Enid-Second-Clear Flr."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On October 29, 1937, General Mills, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be disposed of as animal feed or for some purpose other than human consumption.

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