

28579. Adulteration and misbranding of imitation lemon and vanilla flavors. U. S. v. 18 Cases of Imitation Lemon Flavor (and four other seizures of imitation flavors). Default decrees of condemnation and destruction. (F. & D. Nos. 41297, 41330, 41386, 41432. Sample Nos. 44394-C, 54004-C to 54007-C, incl., 61501-C, 61502-C.)

These products contained a glycol or a glycol ether, or both, poisons.

On January 14 and 15, 1938, the United States attorneys for the Eastern and Middle Districts of North Carolina, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 154 dozen bottles of imitation vanilla flavor and 54 $\frac{1}{4}$ dozen bottles of imitation lemon flavor in various lots at Littleton, Rocky Mount, and Rockingham, N. C., alleging that the articles had been shipped in interstate commerce on various dates between May 18 and December 8, 1937, from Norfolk, Va., by Twin City Manufacturing Co., of Norfolk, Va., and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Jack Horner Brand Lemon [or "Vanilla"] Imitation * * * Packed by Twin City Mfg. Co., Inc., Norfolk, Va."

They were alleged to be adulterated in that products containing a poisonous substance, a glycol or a glycol ether, or both, had been substituted in whole or in part for food flavors, which they purported to be. Certain lots were alleged to be adulterated further in that they contained an added poisonous or deleterious ingredient which might have rendered them injurious to health.

Misbranding was alleged in that the statements, "Lemon [or Vanilla] Imitation * * * for Flavoring Sauces, Puddings and etc.," 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, poisons; and in that the articles were offered for sale under the distinctive names of other articles, food flavors.

On February 17 and March 17, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

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

28580. Adulteration and misbranding of vanilla extract. U. S. v. 13 Bottles of Flavoring Extract of Vanilla (and one other seizure of the same product). Consent decree of condemnation and destruction. (F. & D. Nos. 41578, 41579. Sample Nos. 161-D, 162-D.)

This product contained diethylene glycol, a poison.

On February 2, 1938, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 23 bottles of vanilla extract at Denver, Colo., consigned by Geo. W. Caswell Co., alleging that the article had been shipped in interstate commerce on or about September 4 and November 12, 1937, from San Francisco, Calif., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Caswell Flavoring Extract of Vanilla Geo. W. Caswell Co. San Francisco, Cal."

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

Misbranding was alleged in that the following statements were false and misleading and tended to deceive and mislead the purchaser when applied to an article containing a glycol, a poison: (Bottles) "Flavoring Extract of Vanilla * * * Purity Guaranteed"; (cartons) "Vanilla A Pure Extract" or "Vanilla Extract." Misbranding was alleged further in that the article was offered for sale under the distinctive name of another article, flavoring extract of vanilla.

On February 14, 1938, Geo. W. Caswell Co., having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered destroyed.

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

28581. Adulteration and misbranding of assorted flavors. U. S. v. 56 Dozen Bottles of Assorted Flavors, et al. Default decrees of condemnation and destruction. (F. & D. Nos. 41388, 41389, 41429. Sample Nos. 71762-C, 71764-C, 71765-C, 7861-D, 7862-D, 7864-D.)

These products contained a glycol or a glycol ether, or both, poisons.

On January 12 and 14, 1938, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the