

false and misleading and tended to deceive and mislead the purchaser when applied to a mixture of water, acid, artificial color, and 20 percent or less of lemon juice. The lime sour was alleged to be misbranded in that the statement "Lime Sour," on the label, was false and misleading and tended to deceive and mislead the purchaser when applied to a mixture of water, acid, and oil of lime, with little or no lime juice. Both products were alleged to be misbranded further in that they were imitations of other articles, namely, juice of fresh lemons and lime juice respectively.

On July 16 and September 15, 1937, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27773. Misbranding of canned peas. U. S. v. 40 Cases of Canned Peas. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 39880. Sample No. 44114-C.)**

This product fell below the standard for canned peas established by this Department because the peas were not immature, and it was not labeled to indicate that it was substandard.

On June 21, 1937, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 40 cases of canned peas at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about June 18, 1936, by the G. L. Webster Co., Inc., from Cheriton, Va., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Webster's Early June Peas \* \* \* Packed by G. L. Webster Company, Incorporated Cheriton Virginia."

It was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture since the peas were not immature, and its package or label did not bear a plain and conspicuous statement prescribed by the Secretary indicating that it fell below such standard.

On August 7, 1937, no claimant having appeared, judgment of condemnation was entered; and it was ordered that the product be relabeled to show that it was below the Government standard of quality, and sold by the United States marshal.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27774. Adulteration and misbranding of frozen egg yolks. U. S. v. 24 Cans of Frozen Egg Yolks. Decree of condemnation. Product released under bond to be relabeled. (F. & D. No. 39938. Sample No. 18724-C.)**

This product was represented to be egg yolks and sugar; whereas it consisted of egg yolks, sugar, and added egg white.

On July 1, 1937, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 cans of frozen egg yolks at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about April 20, 1937, by the Ovson Egg Co. from St. Louis, Mo., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Ovson Standard Selected Fresh Eggs Frozen. \* \* \* A product of National Dairy \* \* \* Ovson Egg Company Chicago, Illinois."

It was alleged to be adulterated in that a mixture of egg yolk, egg white, and sugar had been substituted wholly or in part for egg yolks and sugar, which it purported to be.

The article was alleged to be misbranded in that the statements, "Sugaryolk is an egg yolk product. Contains only pure fresh egg yolk to which is added about 10% cane sugar," were false and misleading and tended to deceive and mislead the purchaser when applied to a product that contained added egg white.

On September 2, 1937, the Ovson Egg Co., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was released to the claimant under bond conditioned that it be relabeled.

HARRY L. BROWN, *Acting Secretary of Agriculture.*