29353. Adulteration of caraway seed. U. S. v. 3 Bags of Caraway Seed. Default decree of condemnation and destruction. (F. & D. No. 43126. Sample No. 26238–D.)

This product was found to contain a very low percentage of volatile oil, a condition which disclosed the presence of exhausted seeds.

On July 29, 1938, 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 three bags of caraway seed at New York, N. Y.; alleging that the article had been exported from Antwerp, Belgium, on or about July 1, 1938, by Arthur Lenoir Bronchart; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that caraway seeds from which a portion of the volatile oil had been removed had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength and had been substituted in whole on in part for the article; and in that a valuable constituent of the article, namely, volatile oil, had been in whole or in part abstracted.

On August 12, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29354. Adulteration and misbranding of soya bean oil. U. S. v. 3 Drums of Soya Bean Oil. Default decree of condemnation and destruction. (F. & D. No. 43131. Sample No. 26233–D.)

This product consisted essentially of mineral oil which had been substituted for food oil.

On July 29, 1938, 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 three drums of soya bean oil at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about July 7, 1938, from Bayway, N. J., by E. J. McMahon; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "E. J. McMahon Refined Soya Bean Oil."

It was alleged to be adulterated in that mineral oil, having no food value, had been substituted in whole or in part for an article which purported to be a food oil.

Misbranding was alleged in that the statement "Refined Soya Bean Oil" was false and misleading and tended to deceive and mislead the purchaser when applied to an article that consisted essentially of mineral oil.

On August 12, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29355. Adulteration and misbranding of Glyco Ester Improved. U. S. v. 1 Can et al., of Glyco Ester Improved. Default decree of condemnation and destruction. (F. & D. No. 41249. Sample No. 52322–C.)

This product was diethylene glycol, a poison.

On December 23, 1937, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of two cans of Glyco Ester Improved at Los Angeles, Calif.; alleging that the article had been shipped in interstate commerce on or about November 13, 1937, from New York, N. Y., by W. J. Bush & Co., Inc.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "W. J. Bush & Co. Incorporated New York."

It was alleged to be adulterated in that a glycol, a poison, had been substituted in whole or in part for Glyco Ester Improved, a food-flavor solvent, which it purported to be.

Misbranding was alleged in that the statement on the label, "Glyco Ester Improved," was false and misleading and tended to deceive and mislead the purchaser when applied to a poison unfit for use as a food-flavor solvent; and in that it was offered for sale under the distinctive name of another article.

On January 19, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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