false and misleading. It also was alleged to be misbranded under the provisions of the law applicable to drugs, as reported in D. D. N. J. No. 594.

Between January 30, 1941, and March 4, 1942, no claimant having appeared, judgments of condemnation were entered. The portions of the product located at Denver, Dayton, and Minneapolis were ordered distributed to charitable institutions and the remaining lots were ordered destroyed.

FLAVORS AND SPICES

2979. Adulteration and misbranding of vanilla flavor. U. S. v. 11 Jugs of Vanilla Flavor. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 6056. Sample Nos. 73319–E, 73320–E.)

This product consisted of a water-alcohol solution of ethyl vanillin, coumarin, and caramel color.

On October 22, 1941, the United States attorney for the Western District of Oklahoma filed a libel against 11 jugs of vanilla flavor at Enid, Okla., alleging that the article had been shipped in interstate commerce within the period from on or about July 17 to on or about August 7, 1941, by the Commercial Coffee Co. from St. Louis, Mo.; and charging that it was adulterated and misbranded. It was labeled in part: "Chef's Delight Brand Standard Vanilla Flavor."

The article was alleged to be adulterated in that an imitation vanilla flavoring consisting of a water-alcohol solution of ethyl vanillin, coumarin, and caramel color had been substituted in whole or in part for standard vanilla flavor, which it purported to be.

It was alleged to be misbranded (1) in that the statement "Standard Vanilla Flavor" was false and misleading as applied to an article that was an imitation vanilla flavor; (2) in that it was offered for sale under the name of another food; (3) in that it was an imitation of another food and its label failed to bear in type of uniform size and prominence the word "imitation" and immediately thereafter the name of the food imitated; (4) in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient; and (5) in that it contained artificial coloring and did not bear labeling stating that fact.

On December 2, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

2980. Adulteration and misbranding of vanilla extract. U. S. v. 11 Dozen Bottles of Vanilla Extract. Default decree of condemnation; product ordered delivered to Food and Drug Administration for technical purposes. (F. D. C. No. 3894. Sample No. 46731–E.)

This product was deficient in vanilla resins and contained artificial flavor and other substances foreign to vanilla extract as indicated by the presence of excessive mineral matter.

On February 28, 1941, the United States attorney for the District of New Jersey filed a libel against 11 dozen bottles of vanilla extract at Hoboken, N. J., alleging that the article had been shipped by General Desserts Corporation from New York, N. Y., on or about December 19, 1940; and charging that it was adulterated and misbranded. It was labeled in part: (Bottles) "Contents 4 Fl. Oz. * * * American House Pure Extract Vanilla."

The article was alleged to be adulterated (1) in that an imitation vanilla extract deficient in vanilla resin and containing added ash material and artificial flavor had been substituted wholly or in part for "Pure Extract Vanilla"; (2) in that inferiority had been concealed through the addition of ash material and artificial flavoring; and (3) in that ash material and artificial flavoring had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

It was alleged to be misbranded (1) in that the statement "Pure Extract Vanilla" was false and misleading as applied to an imitation vanilla extract deficient in vanilla resin and containing added ash material and artificial flavoring; (2) in that it was offered for sale under the name of another food; (3) in that it was an imitation of another food and its label did not bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; and (4) in that it contained artificial flavoring and failed to bear labeling stating that fact.

On September 4, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to the Food and Drug Administration to be used for technical purposes.