

under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "C and H Sugar Pure Cane."

On August 5, 1941, Elkhorn Canning Co., Elkhorn, Wis., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for segregation of the fit portion from the unfit under the supervision of the Food and Drug Administration.

2813. Misbranding of honey. U. S. v. 36 Packages and 75 Packages of Honey. Default decrees of condemnation. Portion of product ordered destroyed; remainder ordered delivered to a charitable institution. (F. D. C. Nos. 3977, 3980. Sample Nos. 44027-E, 44640-E.)

The labeling of this product bore false and misleading representations regarding its efficacy and properties as indicated hereinafter.

On March 15, 1941, the United States attorney for the Middle District of Tennessee filed a libel against 36 packages of honey at Dickson, Tenn., alleging that the article had been shipped in interstate commerce on or about February 5, 1941, by the Tongue River Apiaries (E. C. Reed & Son) from Ranchester, Wyo. On March 31, 1941, the United States attorney for the District of Colorado filed a libel against 75 packages of honey at Denver, Colo., which had been shipped by Tongue River Apiaries on or about October 1, 1940, from Ranchester, Wyo.

The article was alleged to be misbranded in that the statement, contained in an accompanying circular entitled "Honey 'Round the World," "To make spoiled honey good, 'mix one part spoiled with two parts good,'" was false and misleading in that spoiled honey cannot be made good by mixing it with good honey. It was alleged to be misbranded further in that the statements on the carton, "Health Sweet"; "Helpful for impaired digestion, diabetes, etc."; and "A teaspoonful in warm water induces sleep and stimulates the heart," were false and misleading since the use of the article could not be depended upon to fulfill the promises of benefit stated and implied thereby. It was alleged to be misbranded further in that the statements in an accompanying circular entitled "Please Pass the Honey," regarding its efficacy in the maintenance of health, its efficacy in the treatment of heart weakness and heart failure and in reviving heart action, its efficacy in the treatment of pneumonia and its value for general physical repair, its efficacy to produce energy and give the user a healthy complexion, and its efficacy as a cosmetic because of its nourishing, bleaching, astringent and antiseptic effect on the skin, were false and misleading since it would not be efficacious for such purposes.

It was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in D. D. N. J. No. 499.

On May 27 and June 28, 1941, no claimant having appeared, judgments of condemnations were entered and the product seized at Denver was ordered delivered to a charitable institution and that seized at Dickson was ordered destroyed.

FLAVORS

Nos. 2814 to 2818 report the seizure and disposition of vanilla extract which contained resinous substances not derived from the vanilla bean.

2814. Adulteration and misbranding of vanilla extract. U. S. v. 131 Bottles of Vanilla Extract. Default decree of condemnation and destruction. (F. D. C. No. 4254. Sample No. 44382-E.)

On April 7, 1941, the United States attorney for the District of Utah filed a libel against 131 bottles of vanilla extract at Fort Douglas (Salt Lake City), Utah, alleging that the article had been shipped in interstate commerce on or about March 5, 1941, by Astrol Pharmacal Co. from New York, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part: "Pure Extract Vanilla * * * Distributors Huguenot Laboratories Mount Vernon N. Y."

The article was alleged to be adulterated in that imitation vanilla extract containing resinous substances not found in genuine vanilla extract had been substituted wholly or in part for "Pure Extract Vanilla"; in that inferiority had been concealed through addition of foreign resins; and in that foreign resins had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

The article was alleged to be misbranded in that the statement "Pure Extract Vanilla" was false and misleading as applied to imitation vanilla extract containing resinous substances not found in genuine vanilla extract; in that it was offered for sale under the name of another food; and in that it was an imitation