

ordering the product released under bond conditioned that it be relabeled under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

**27688. Adulteration and misbranding of lemon cocktail mixer. U. S. v. 112 Bottles of Cocktail Mixer Trufruit Brand Lemon. Default decree of condemnation and destruction. (F. & D. No. 39696. Sample No. 20858-C.)**

This product was labeled to convey the impression that it could be used as a base for fruitade.

Examination showed that it consisted of an artificially colored acid solution, containing citrus oils and benzoate of soda, and little or no lemon juice.

On June 9, 1937, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 112 bottles of lemon cocktail mixer at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about September 4, 1936, by the Trufruit Syrup Corporation from Brooklyn, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Cocktail Mixer Trufruit Brand Lemon \* \* \* Trufruit Syrup Corp., Brooklyn, N. Y."

It was alleged to be adulterated in that an imitation lemon juice consisting of an artificially colored acid solution, citrus oils, and benzoate of soda, containing little or no lemon juice, had been substituted for lemon juice, which it purported to be, and in that it had been mixed and colored in a manner whereby inferiority was concealed.

It was alleged to be misbranded in that the following statements were false and misleading, and tended to deceive and mislead the purchaser when applied to a mixture of an artificially colored acid solution, citrus oils, and benzoate of soda, containing little or no lemon juice, "Trufruit \* \* \* Lemon"; and in that it was an imitation of another article, lemon juice.

On June 28, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**27689. Adulteration of canned pineapple. U. S. v. 293 Cases of Pineapple. Product released under bond for segregation and destruction of decomposed portion. (F. & D. No. 39698. Sample No. 35411-C.)**

This product was in part decomposed.

On June 7, 1937, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 293 cases of pineapple at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about April 21, 1937, by Getz Bros. & Co. from San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Royal Taste Brand Malayan Spiral Cut Sliced Pineapple Product of British Malaya Getz Bros. & Co. Distributors Singapore."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On June 23, 1937, Getz Bros & Co. having appeared as claimant, judgment was entered ordering that the product be released under bond conditioned that the decomposed portion be separated from the sound and destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**27690. Misbranding of canned peas. U. S. v. 587 Cases and 303 Cases of Peas. Decrees of condemnation. Product released under bond to be relabeled. (F. & D. Nos. 39712, 39868. Sample Nos. 43561-C, 43593-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 or about June 14 and June 18, 1937, the United States attorney for the Southern District of Florida, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 587 cases of canned peas at Tampa, Fla., and 303 cases of canned peas at Jacksonville, Fla., alleging that they had been shipped in interstate commerce by the Colt & Dixon Packing & Manufacturing Co. from Frederick, Md., on or about May 1 and May 7, 1937, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Dixon Brand

Early June Peas \* \* \* Distributed By Colt & Dixon Packing & Mfg. Co. Frederick, Md."

The article 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, more than 25 percent being ruptured; 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 June 29 and July 9, 1937, Bonacker Bros., Inc., Tampa, Fla., and the Colt & Dixon Packing & Manufacturing Co., claimants, respectively, for the lots seized at Tampa, Fla., and Jacksonville, Fla., having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released to claimants under bond conditioned that it be relabeled to conform to the law.

M. L. WILSON, *Acting Secretary of Agriculture.*

**27691. Adulteration of canned blackberries. U. S. v. 198 Cases and 589 Cases of Blackberries. Default decrees of condemnation and destruction.** (F. & D. Nos. 39138, 39714. Sample Nos. 29400-C, 41283-C.)

Samples of this product were found to be excessively moldy.

On March 20 and June 14, 1937, the United States attorneys for the District of Maryland and the District of Colorado, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 198 cases of canned blackberries at Baltimore, Md., and 589 cases of canned blackberries at Pueblo, Colo., both lots consigned by the Svensen Canning Co., of Svensen, Oreg., alleging that the article had been shipped in interstate commerce, in part on or about December 14, 1936, from Svensen, Oreg., and in part on or about February 9, 1937, from Portland, Oreg., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: (Cans) "Astoria Brand Water Pack Evergreen Blackberries \* \* \* Svensen Canning Co., Svensen, Ore." The remainder was labeled in part: "Jordan Brand \* \* \* Water Pack Blackberries Packed for The J. S. Brown Mercantile Co. Denver, Colo."

It was alleged to be adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On July 15 and August 19, 1937, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**27692. Adulteration and misbranding of maple sirup. U. S. v. Fourteen 1-Gallon Cans of Maple Sirup. Default decree of condemnation and destruction.** (F. & D. No. 39715. Sample No. 21131-C.)

This product contained excessive lead, and the quantity of contents was not marked on the package.

On June 11, 1937, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14 1-gallon cans of maple sirup at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about May 7, 1937, by G. W. John from Lyndonville, Vt., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Pure Vermont Maple Syrup Net Weight — lbs. when Packed Made and For Sale by G. W. John \* \* \* Lyndonville, Vermont."

It was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it injurious to health.

The article was alleged to be misbranded in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 13, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**27693. Misbranding of olive oil. U. S. v. 70 Cans of Gold Deer Brand Olive Oil. Consent decree of condemnation. Product released under bond to be repacked.** (F. & D. No. 39716. Sample No. 37935-C.)

This product was short of the declared volume.

On June 11, 1937, the United States attorney for the Eastern 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 70 cans of olive oil at