

28537. Adulteration and misbranding of imitation vanilla flavor. U. S. v. 20 Cases of Imitation Vanilla Flavor. Consent decree of condemnation and destruction. (F. & D. No. 41054. Sample No. 58239-C.)

This product contained diethylene glycol, a poison.

On December 10, 1937, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 20 cases of imitation vanilla flavor at Junction City, Kans., alleging that the article had been shipped in interstate commerce on or about November 1, 1937, from Kansas City, Mo., by Geo. W. Hogue Manufacturing Co., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Clover Leaf Imitation Vanilla Flavor * * * Manufactured by Clover Leaf Mfg. Co., Kansas City, Mo."

The article was alleged to be adulterated in that a product containing diethylene glycol, a poisonous substance, had been substituted in whole or in part for imitation vanilla flavor, which it purported to be.

Misbranding was alleged in that the statements (bottle) "Imitation Vanilla Flavor * * * made from aqua, ethyl, vanillin and coumarin, heliotropin, recrystallized in glycerated sugar syrup and colored with caramel" and (case) "Vanilla," were false and misleading and tended to deceive and mislead the purchaser when applied to an article containing diethylene glycol, a poison.

On January 5, 1938, the claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

28538. Adulteration and misbranding of imitation vanilla and lemon flavor. U. S. v. 8 Bottles of Imitation Vanilla Flavor and 10 Bottles of Imitation Lemon Flavor. Default decree of condemnation and destruction. (F. & D. Nos. 41064, 41065. Sample Nos. 66222-C, 66223-C.)

These products contained a poison—a glycol or a glycol ether.

On December 11, 1937, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 18 bottles of imitation flavors at Petersburg, W. Va., alleging that the articles had been shipped in interstate commerce on or about August 2, 1937, from Petersburg, Va., by Spartan Products Corporation, and charging adulteration and misbranding in violation of the Food and Drugs Act. They were labeled in part: "Imitation Vanilla [or "Lemon"] Flavor * * * Southern Chemical Co. Manufacturers of Spartan Brand Flavoring Extracts * * * Petersburg, Virginia."

The articles were alleged to be adulterated in that substances containing a glycol or a glycol ether, a poison, had been substituted wholly or in part for imitation vanilla flavor and imitation lemon flavor, food flavors, which they purported to be.

They were alleged to be misbranded in that the statements, "Imitation Vanilla Flavor" and "Imitation Lemon Flavor," were false and misleading and tended to deceive and mislead the purchaser when applied to articles containing a glycol or a glycol ether, a poison; and in that they were offered for sale under the distinctive names of other articles.

On January 15, 1938, no claimant having appeared, the products were adjudged to be adulterated and misbranded and were ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

28539. Adulteration and misbranding of imitation flavors. U. S. v. 2 Gallons of Imitation Fruit Flavors. Default decree of condemnation and destruction. (F. & D. Nos. 41055, 41056. Sample Nos. 65156-C, 65157-C.)

These products contained 60 and 61 percent, respectively, of a glycol or a glycol ether, which are poisons.

On December 9, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 2 gallons of imitation flavors at Philadelphia, Pa., alleging that the articles had been shipped in interstate commerce on or about October 2, 1937, from Guttenberg, N. J., by Polak & Schwarz, Inc., and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Polak & Schwarz, Inc., New York * * *"

The articles were alleged to be adulterated in that products containing a glycol or a glycol ether, a poison, had been substituted wholly or in part for con-

centrated imitation peach or strawberry flavors, which they purported to be; and in that they contained an added poisonous or deleterious ingredient, to wit, a glycol or a glycol ether, which might have rendered them harmful to health.

Misbranding was alleged in that the statements, "Concentrated Imitation Peach Flavor" and "Concentrated Imitation Strawberry Flavor," were false and misleading and tended to deceive and mislead the purchaser when applied to articles containing a glycol or a glycol ether, a poison.

On January 21, 1938, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

28540. Adulteration and misbranding of imitation vanilla flavor. U. S. v. 1 Gallon Bottle of Imitation Vanilla Flavor, et al. Default decrees of condemnation and destruction. (F. & D. Nos. 40907, 40984, 41025. Sample Nos. 46697-C, 48445-C, 48446-C, 48447-C.)

This product contained from approximately 28 percent to approximately 64 percent of diethylene glycol, a poison.

On November 23, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of one gallon bottle of imitation vanilla at Washington, D. C. On December 1 and 6, 1937, libels were filed against two gallon bottles of the product at Pittsburgh, Pa., and two drums at Baltimore, Md. The libels alleged that the article had been shipped in interstate commerce by Parker Vanilla Products, Inc., in part on or about October 15 and November 1, 1937, from Baltimore, Md., to Pittsburgh, Pa., and Washington, D. C., and in part on or about November 26, 1937, from Washington, D. C., to Baltimore, Md.; and that it was adulterated and misbranded in violation of the Food and Drugs Act. The article was labeled in part: "Parker Vanilla Products, Inc."

It was alleged to be adulterated in that a product containing diethylene glycol, a poison, had been substituted for imitation vanilla, which it purported to be; and in that it contained an added poisonous or deleterious ingredient, diethylene glycol, which might have rendered it injurious to health.

Misbranding was alleged in that the designation, "Imitation Vanilla," was false and misleading and tended to deceive and mislead the purchaser when applied to an article containing diethylene glycol.

On January 4 and 27 and February 15, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

28541. Adulteration and misbranding of vanilla. U. S. v. 12 Bottles of Vanilla. Default decree of condemnation and destruction. (F. & D. No. 41401. Sample No. 49586-C.)

This product contained about 30 percent of carbitol, a commercial solvent composed of a glycol or a glycol ether, or both, poisons.

On January 14, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 bottles of vanilla at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about December 16, 1937, from Cincinnati, Ohio, by the Kroger Grocery & Baking Co., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Ravanco Vanilla."

It was alleged to be adulterated in that an article containing a poisonous substance, a glycol or a glycol ether, or both, had been substituted in whole or in part for vanilla, a food flavor, which it purported to be; and in that it contained an added poisonous or deleterious ingredient, a glycol or a glycol ether, which might have rendered it injurious to health.

The article was alleged to be misbranded in that the statement borne on the label, "Ravanco Vanilla," was false and misleading and tended to deceive and mislead the purchaser when applied to an article containing a glycol or a glycol ether, or both, poisons; and in that it was offered for sale under the distinctive name of another article, a food flavor.

On March 18, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*