

28585. Adulteration and misbranding of imitation raspberry, pineapple, and wild cherry essences. U. S. v. 11½ Gallons of Imitation Fruit Essences. Default decree of condemnation and destruction. (F. & D. Nos. 40892, 40893, 40894. Sample Nos. 62684-C, 62685-C, 62686-C.)

These products contained monoethyl ether of diethylene glycol, a poison.

On November 22, 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 11½ gallons of imitation fruit essences at Philadelphia, Pa., alleging that the articles had been shipped in interstate commerce on various dates between September 8 and October 22, 1937, from Brooklyn, N. Y., by J. N. Hickok & Son, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "J. N. Hickok & Son."

They were alleged to be adulterated in that products containing diethylene glycol monoethyl ether, a poison, had been substituted for "Imitation Raspberry [or "Pineapple" or "Wild Cherry"] Essence contains Esters, Volatile Oils, Vegetable Tincture and Cologne Spirits"; and in that they contained an added poisonous or deleterious ingredient, diethylene glycol monoethyl ether, which might have rendered them injurious to health.

Misbranding was alleged in that the statements, "Imitation Raspberry [or "Pineapple" or "Wild Cherry"] Essence contains Esters, Volatile Oils, Vegetable Tincture and Cologne Spirits," were false and misleading and tended to deceive and mislead the purchaser when applied to articles containing diethylene glycol monoethyl ether.

On January 22, 1938, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

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

28586. Adulteration and misbranding of imitation rum flavor. U. S. v. 1 Gallon and 1 Gallon of "Conc. Rum Flavor Imit." Default decrees of condemnation and destruction. (F. & D. Nos. 41468, 41469. Sample Nos. 7981-D, 7982-D.)

Samples of this product contained 15 and 25 percent, respectively, of carbitol, a solvent composed of a glycol or a glycol ether, or both, poisons.

On January 19, 1938, the United States attorney for the District of New Jersey, 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 rum flavor at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about December 4 and 17, 1937, from New York, N. Y., by Leonard J. Hymes, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Leonard J. Hymes * * * Conc. Rum Flavor Imit. * * * New York."

It was alleged to be adulterated in that a product containing a poisonous substance, a glycol or a glycol ether, or both, had been substituted for "Conc. Rum Flavor Imit.," which it purported to be; and in that it contained an added poisonous or deleterious ingredient, a glycol or a glycol ether, or both, which might have rendered it injurious to health.

The article was alleged to be misbranded in that the statement "Conc. Rum Flavor Imit." 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.

On March 16, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

28587. Adulteration and misbranding of imitation flavors. U. S. v. 2 Bottles of Imitation Honey Flavor and 2 Bottles of Imitation Cherry with Pit Flavor. Default decrees of condemnation and destruction. (F. & D. Nos. 41299, 41300. Sample Nos. 28448-C, 28449-C.)

Samples of these products contained 55 and 60 percent, respectively, of carbitol, a solvent composed of a poison—a glycol or a glycol ether, or both.

On December 31, 1937, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of four bottles of the above-described products at Pittsburgh, Pa., alleging that they had been shipped in interstate commerce on or about October 9, 1937, from New York, N. Y., by Schimmel & Co. Inc., and charging adulteration and misbranding in

violation of the Food and Drugs Act. The articles were labeled: "* * * Kallistarom * * *"

They were alleged to be adulterated in that a product containing a poisonous substance, a glycol or a glycol ether, or both, had been substituted in whole or in part for food flavors, which they purported to be; and in that they contained an added poisonous or deleterious ingredient, a glycol or a glycol ether, or both, which might have rendered them injurious to health.

The articles were alleged to be misbranded in that the statements, "Honey Imitation" and "Kallistarom Cherry with Pit Flavor Imitation," were false and misleading and tended to deceive and mislead the purchaser when applied to articles containing a glycol or a glycol ether, or both, poisons; and in that they were offered for sale under the distinctive names of other articles, food flavors.

On January 25, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

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

28588. Adulteration and misbranding of imitation apple flavor. U. S. v. 1 Bottle of Imitation Apple Flavor. Default decree of condemnation and destruction. (F. & D. No. 41322. Sample No. 71072-C.)

This product contained about 75 percent of carbitol, a solvent composed of a glycol or a glycol ether, or both, poisons.

On January 3, 1938, 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 one bottle of imitation apple flavor at Reading, Pa., alleging that the article had been shipped in interstate commerce on or about October 14, 1937, from New York, N. Y., by Fries & Bro., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Fries & Bros. * * * New York * * * Imitation Truconomy Apple Flavor."

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

The article was alleged to be misbranded in that the name "Apple Flavor" was false and misleading and tended to deceive and mislead the purchaser when applied to an article containing a poison; and in that it was offered for sale under the distinctive name of another article, apple flavor, a food flavor.

On February 2, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

28589. Adulteration and misbranding of Gly-Ketol and Glyco-Ester. U. S. v. 50 Gallons of Gly-Ketol and 50 Pounds of Glyco-Ester. Default decrees of condemnation and destruction. (F. & D. Nos. 41111, 41112. Sample Nos. 47588-C, 47589-C.)

The Gly-Ketol consisted of carbitol, a solvent composed of a glycol or a glycol ether, or both, poisons; and the Glyco-Ester consisted of diethylene glycol, a poison.

On December 16, 1937, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 50 gallons of Gly-Ketol and 50 pounds of Glyco-Ester at Cincinnati, Ohio, consigned about September 18 and November 5, 1937, alleging that the articles had been shipped in interstate commerce from New York, N. Y., by Fries Bros., and charging adulteration and misbranding in violation of the Food and Drugs Act. The Glyco-Ester was labeled in part: "Fries Bros. New York."

The articles were alleged to be adulterated in that a poisonous substance, a glycol or a glycol ether, or both, had been substituted in whole or in part for food-flavor solvents, which they purported to be.

Misbranding was alleged in that the names "Gly-Ketol" and "Glyco-Ester," borne on the labels, were false and misleading and tended to deceive and mislead the purchaser when applied to poisons unfit for use as food-flavor solvents; and in that they were sold under the distinctive names of other articles, food-flavor solvents.

On March 16, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

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