

**28667. Adulteration and misbranding of Salvinol and Glyhydrol. U. S. v. One Drum of Salvinol 500 (and 9 other seizure actions against similar products). Default decrees of condemnation and destruction.** (F. & D. Nos. 41037, 41038, 41067, 41069, 41125, 41126, 41128, 41130, 41131, 41158, 41172, 41193. Sample Nos. 9664-C, 9665-C, 13974-C, 36780-C, 36781-C, 44385-C, 50577-C, 50668-C, 50669-C, 54361-C, 60599-C.)

These products consisted of a glycol or a glycol ether, or both, poisons.

On various dates between December 7 and 22, 1937, libels were filed in seven United States district courts by their respective United States attorneys, acting upon reports by the Secretary of Agriculture, praying seizure and condemnation of a total of 488¾ gallons of the hereinafter-described products in various lots at Los Angeles, Calif.; Atlanta, Ga.; New Orleans, La.; Spokane, Wash.; Terre Haute, Ind.; Winston Salem, N. C.; and Salt Lake City, Utah. The libels alleged that the articles had been shipped in interstate commerce on various dates between August 25, 1934, and November 5, 1937, from New York, N. Y., and San Francisco and Los Angeles, Calif., by Florasynth Laboratories, Inc.; and charged adulteration and misbranding in violation of the Food and Drugs Act. Portions of the articles were labeled in part: "Salvinol 500 [or "Salvinol No. 500 Extra"] \* \* \* Florasynth Laboratories, Inc. \* \* \* New York, N. Y."; "Florasynth Laboratories, Salvinol 225 [or "Glyhydrol"] New York, N. Y."; "Florasynth Laboratories, Inc. \* \* \* Salvinol 500 [or "Glyhydrol"]."

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

The articles, except one unlabeled can of Salvinol No. 250, were alleged to be misbranded in that the statements, "Salvinol 500," "Glyhydrol," "Salvinol No. 500 Extra," and "Salvinol 225," borne on the labels, were false and misleading and tended to deceive and mislead the purchaser when applied to a poison unfit for use as a food-flavor solvent. All the articles were alleged to be misbranded in that they were offered for sale under the distinctive names of other articles, Salvinol 500, Salvinol No. 250, Glyhydrol, Salvinol No. 500 Extra, and Salvinol 225, food-flavor solvents.

On various dates between January 6 and April 28, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

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

**28668. Adulteration and misbranding of artificial glycerin. U. S. v. 550 Pounds of Artificial Glycerin. Default decree of condemnation and destruction.** (F. & D. No. 41091. Sample No. 58031-C.)

This product contained about 60 percent of diethylene glycol, a poison.

On December 17, 1937, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 550 pounds of artificial glycerin at Petersburg, Va., alleging that the article had been shipped in interstate commerce on or about February 17, 1937, from New York, N. Y., by Florasynth Laboratories, Inc., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "From Florasynth Laboratories, Inc. \* \* \* New York \* \* \* Artificial Glycerine."

It was alleged to be adulterated in that a substance, a mixture of sugars, water, and a glycol, a poison, had been substituted for artificial glycerin, a food solvent, which the article purported to be; and in that it contained an added poisonous or deleterious ingredient, a glycol, which might have rendered it injurious to health.

The article was alleged to be misbranded in that the statement "Artificial Glycerine" was false and misleading and tended to deceive and mislead the purchaser when applied to an article containing a glycol, a poison; and in that it was offered for sale under the distinctive name of another article, artificial glycerin.

On February 4, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**28669. Adulteration of cream. U. S. v. 12 Cans of Cream. Consent decree of destruction.** (F. & D. No. 40143. Sample No. 42942-C.)

This product was found to be in various stages of decomposition.

On August 7, 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 12 10-gallon cans of cream at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about August 6, 1937, in various lots from Phillipi, W. Va., by Kermit Haller; from Berkeley Springs, W. Va., by R. S. Unger; from Romney, W. Va., by B. M. Grim; from Charles Town, W. Va., by M. K. Bowers; from Strasburg, Va., by Walter Johnson; from Weston, W. Va., by Magnus C. White; and from Ellenboro, W. Va., by E. Paige Hickman, and charging adulteration in violation of the Food and Drugs Act.

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

On August 7, 1937, the consignee having consented to the entry of a decree, the product was ordered destroyed immediately in view of its perishable nature.

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

**28670. Adulteration of butter. U. S. v. 34 Tubs of Butter. Consent decree of condemnation. Product released under bond for reworking.** (F. & D. No. 40672. Sample Nos. 56816-C, 57105-C.)

This product contained less than 80 percent of milk fat.

On October 26, 1937, the United States attorney for the Southern 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 34 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 15, 1937, from Baltimore, Md., by Chesapeake Creameries, Inc., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat, as provided by the act of March 4, 1923.

On October 28, 1937, Chesapeake Creameries, Inc., Baltimore, Md., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked so that it contain at least 80 percent of milk fat.

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

**28671. Adulteration of candy. U. S. v. 39 Cartons and 35 Cartons of Candy. Default decree of condemnation. Product destroyed.** (F. & D. Nos. 40723, 40724. Sample Nos. 61161-C, 61162-C.)

Samples of this product were found to be insect-infested; others contained rodent hair, excreta, and nondescript dirt.

On November 23, 1937, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 74 cartons of candy at Meridian, Miss., alleging that the article had been shipped in interstate commerce in part on or about September 10, 1937, and in part on or about September 21, 1937, by the Specialty Candy Co., Inc., from New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Peco Nut Squares [or "Jumbo Mint Lumps"] Manufactured by Specialty Candy Co., Inc., New Orleans, La."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance rendering it unfit for consumption as a food.

On March 30, 1938, no claimant having appeared, judgment of condemnation was entered and the product was destroyed by the United States marshal.

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

**28672. Adulteration and misbranding of Glycocon. U. S. v. 1 Drum containing 400 Pounds of Glycocon 2A (and 5 other seizure actions against similar products). Default decrees of condemnation and destruction.** (F. & D. Nos. 40963, 41066, 41212, 41283, 41310, 41524. Sample Nos. 28446-C, 44290-C, 44291-C, 48092-C, 56737-C, 58062-C, 7990-D.)

These cases involved six lots of solvents of which five consisted entirely of a glycol or a glycol ether, a poison; and one which contained about 35 percent of a glycol, a poison.

On November 30, 1937, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1 drum of Glycocon 2A at Baltimore, Md. On various dates between December 10, 1937, and January 22, 1938, libels were filed against 34 pounds of Glycocon S at Erie, Pa.; 3 gal-