

Flouring Mills Co. from Seattle, Wash.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Centennial Gold Drop Flour" or "Centennial Pandora Flour."

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

On June 30, 1939, the cases having been consolidated and S. A. Wald & Co., Inc., claimant, having admitted that the product consisted in part of a decomposed vegetable substance, judgment was entered ordering that the product be released under bond conditioned in part that the portion found unfit for human consumption be denatured and disposed of for duck feed or for technical purposes.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30775. Adulteration and misbranding of lemon juice; and misbranding of orange juice, Cherry Flow, and Loganberry Flow. U. S. v. 20 Cases of Orange Juice (and 5 other actions against similar products). Default decrees of condemnation. Lots not adulterated ordered delivered to charitable institutions. Adulterated lots ordered destroyed. (F. & D. Nos. 45207 to 45213, inclusive. Sample Nos. 59834-D, 59835-D, 59837-D, 59838-D, 59839-D, 60601-D, 60602-D.)

Two of the three lots of lemon juice contained enamel lining from the container; 1 lot also contained added water. The labeling of all three lots of lemon juice and the lot of orange juice bore false and fraudulent curative and therapeutic claims. The Cherry Flow and Loganberry Flow were labeled to indicate that they consisted essentially of fruit juices; whereas the former contained approximately 10 percent of cherry juice and the latter contained approximately 20 percent of loganberry juice, and the misleading impression created by the labeling was not corrected by the word "diluted" appearing inconspicuously on the label.

On April 19, 1939, 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 libels praying seizure and condemnation of 20 cases of orange juice, 10 cases of Cherry Flow, 10 cases of Loganberry Flow, and 89 cases of lemon juice at New York, N. Y.; alleging that the articles had been shipped in interstate commerce within the period from on or about March 21, 1937, to on or about November 12, 1937, from Los Angeles, Calif., or Detroit, Mich., with the exception of one lot, all shipments having been made by Pure Foods Corporation (one shipment in the name of the Coast Fishing Co.); and charging misbranding of all lots and adulteration of two of the three lots of lemon juice in violation of the Food and Drugs Act as amended. The articles were labeled in part: "Golden Flow Brand * * * Pure Foods Corp. Los Angeles, Calif."

One of the three lots of lemon juice was alleged to be adulterated in that enamel lining from the container had been substituted in part for the article. Another of the said lots was alleged to be adulterated in that enamel lining from the container had been substituted in part for the article. and in that water had been mixed and packed with it so as to reduce or lower its quality or strength; in that a mixture of citrus juice and water had been substituted for lemon juice, which it purported to be; and in that it was mixed in a manner whereby inferiority was concealed.

The orange and lemon juices were alleged to be misbranded in that the following statements in the labeling were statements regarding their curative or therapeutic effects and were false and fraudulent: (Orange juice) "Helps to combat germ infection of the mucous membranes. Of particular value in combating acidosis. Stimulates appetite and growth. Prevents scurvy. Nature's aid in obtaining the alkaline balance"; (lemon juice) "Repels nerve inflammation. Of special value in southern climates to combat disease. An aid to Beauty and Health of skin and scalp when applied externally." One lot of lemon juice was alleged to be misbranded further in that the statement "Pure Lemon Juice Pure Fruit Acid Added" was false and misleading and tended to deceive and mislead the purchaser when applied to an article which contained a material proportion of added water and in which there was present but a small amount of lemon juice. The Cherry Flow and Loganberry Flow were alleged to be misbranded in that the following statements, "Pure Red Cherry Flow * * * A Pure Juice Beverage made from the genuine Red Cherry," and "Pure Loganberry Flow * * * A pure Juice Beverage

made from genuine sun-ripened Loganberries," borne on their respective labels, were false and misleading and tended to deceive and mislead the purchaser when applied to mixtures consisting principally of water, and this deception was not lessened by the word "diluted" which followed inconspicuously after the statements quoted.

On June 19, 1939, no claimant having appeared, judgments of condemnation were entered and it was ordered that the adulterated lots of lemon juice be destroyed and that the remainder of the products be delivered to charitable institutions.

HARRY L. BROWN, *Acting Secretary of Agriculture.*