

On February 29, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MOLASSES

694. Adulteration of molasses. U. S. v. 37 Barrels and 4 Half-Barrels of Molasses. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 1557. Sample Nos. 71527-D, 71556-D, 71557-D.)

This product was found to contain lead, which might have rendered it injurious to health.

On March 2, 1940, the United States attorney for the Southern District of California filed a libel against 37 barrels each containing 55 gallons, and 4 half-barrels each containing 30 gallons, of molasses at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about November 8, 1939, by Penick & Ford, Ltd., Inc., from New Orleans, La.; and charging that it was adulterated in that it contained an added poisonous or deleterious substance, namely, lead, which might have rendered it injurious to health, and which was unsafe within the meaning of the act. The article was labeled in part: "Bakers & Confectioners Supply Co., Distributors, Invincible Brand B.S. Molasses."

On April 11, 1940, no claimant having appeared, judgment of condemnation and forfeiture was entered and the product was ordered destroyed.

FLAVORS

695. Misbranding of lemon extract. U. S. v. 54 Dozen Bottles of Lemon Extract. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 684. Sample No. 79051-D.)

The bottles containing this product were paneled, and had thickened glass on the sides and bottoms, and long necks. The width of the bottle was considerably less than the width of the carton in which it was packed. No statement of the quantity of the contents appeared on the carton and that on the bottle label was expressed in terms of drachms and not of fluid ounces. Furthermore, the bottles contained less than the amount declared.

On October 7, 1939, the United States attorney for the Southern District of Georgia filed a libel against 54 dozen bottles of lemon extract at Augusta, Ga., alleging that the article had been shipped in interstate commerce on or about August 12, 1939, by the Davis Manufacturing Co. from Knoxville, Tenn.; and charging that it was misbranded. It was labeled in part: "Mothers Choice Brand."

The article was alleged to be misbranded in that the statement on the bottle, "4 Drachms Net," was false and misleading since it was not accurate; in that its containers were so made, formed, or filled as to be misleading; in that it was in package form and failed to bear an accurate statement of the contents, since the quantity found was less than the amount declared on the bottle label and the cartons did not bear any statement of the quantity of the contents; in that the statement of the quantity of contents, required by the statute to appear on the label, was not prominently placed thereon in such terms as to render it likely to be read and understood by the ordinary individual, since it expressed the quantity in drachms instead of fluid ounces; and in that the statement, "* * * guaranteed by the manufacturers to comply with all food and drug laws as labeled," was false and misleading since such statement would cause the purchaser to believe that the Government guaranteed the article.

On November 7, 1939, a default decree of condemnation and forfeiture was entered; and on November 14, 1939, an amended decree was ordered providing that the product be delivered to charitable institutions.

696. Misbranding of lemon extract. U. S. v. 168 Bottles of Lemon Extract. Default decree of condemnation and destruction. (F. D. C. No. 1244. Sample No. 78893-D.)

Examination showed that the bottles occupied less than 34 percent of the space in the cartons.

On December 27, 1939, the United States attorney for the Western District of Pennsylvania filed a libel against 168 bottles of lemon extract at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about October 21, 1939, by the Drew Corporation from Brooklyn, N. Y.; and charging that it was misbranded. It was labeled in part: "Drew's Pure Extract Lemon."

The article was alleged to be misbranded in that its containers (cartons) were so made, formed, or filled as to be misleading. It was alleged to be misbranded