

On April 3, 7, 12, and 13, 1937, libels were filed against 1,200 cases of raisins at Philadelphia, Pa., 560 cases at Queens Village, L. I., 600 cases at Brooklyn, N. Y., 150 cases at Newark, N. J., 16 cases at Savannah, Ga., and 85 cases at New York, N. Y. The libels alleged that the article had been shipped in interstate commerce, one shipment on or about October 28, 1936, and the remaining shipments between the dates of February 5 and February 23, 1937; that the shipments had been made by the Sunland Sales Cooperative Association in part from Stockton, Calif., in part from Fresno, Calif., and in part from San Francisco, Calif., and that the article was adulterated in violation of the Food and Drugs Act. Portions were labeled variously: "Sun-Maid Raisins Seedless Nectars [or "Puffed Seeded Muscats", "Bakers Wednesday Special Midget Seedless Raisins", or "Sun Maid Selected Thompson Seedless Raisins"] \* \* \* Sun-Maid Raisin Growers of California, Fresno, California." The remainder were labeled: "Blue Ribbon Brand Seedless Raisins."

The article was alleged to be adulterated in that it contained an added poisonous and deleterious ingredient, hydrocyanic acid, which might have rendered it injurious to health.

On April 27, May 8, May 11, May 27, June 5, and June 7, 1937, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

H. A. WALLACE, *Secretary of Agriculture.*

**27323. Adulteration and misbranding of Orange Mixer, Lemon Cocktail Mixer, and Lime Cocktail Mixer. U. S. v. Nineteen 1-Gallon Bottles and 5 Cases of Orange Mixer, et al. Default decree of condemnation and destruction. (F. & D. no. 39323. Sample nos. 27024-C, 27025-C, 27576-C.)**

These products were labeled to convey the impression that they consisted essentially of fruit juices, whereas they contained little or no fruit juices.

On or about April 5, 1937, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 118 gallon bottles and 356 8-ounce bottles of the above-named products at Hartford, Conn., alleging that they had been shipped in interstate commerce on or about March 12, 1937, by the Elby Extract Co. from New York, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Elby Orange Mixer [or "Lemon Cocktail Mixer" or "Lime Cocktail Mixer"] \* \* \* Elby Extract Co., Inc., New York, N. Y."

The articles were alleged to be adulterated in that artificially colored mixtures of water, citrus oils, and acid had been substituted wholly or in part for them; and in that they had been mixed in a manner whereby inferiority was concealed.

They were alleged to be misbranded in that the word "Orange" and the design of an orange, the design of lemons and the statement "Lemon \* \* \* Contains juice of tree ripe lemons", and the design of limes and the statement "Limes \* \* \* Contains juice of tree ripe limes", borne on the labels, were false and misleading and tended to deceive and mislead the purchaser when applied to articles that consisted essentially of water, artificial color, citrus oils, and citric acid with little or no fruit juice; and in that they were imitations of other articles.

On June 14, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

H. A. WALLACE, *Secretary of Agriculture.*

**27324. Adulteration and misbranding of frozen egg yolks. U. S. v. 654 Cans, more or less, each containing 30 pounds of an article labeled in part, "Frozen Eggs." Decree of condemnation. Product released under bond to be relabeled. (F. & D. no. 39340. Sample no. 32032-C.)**

This product was represented to consist of egg yolks and salt, but in fact contained more than 20 percent of egg white.

On April 5, 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 654 cans of frozen egg yolks at Baltimore, Md., alleging that they had been shipped in interstate commerce on or about July 13, 1936, by the Borden Co., Produce Division, from Norfolk, Va., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Titman's Frozen Eggs \* \* \* Distributed by The Borden Sales Company, Inc., Produce Division New York"; (cover of can) "Yolks with approx. 10% Salt."

The article was alleged to be adulterated in that a mixture of egg yolks, egg whites, and salt had been substituted wholly or in part for egg yolks and salt, which it purported to be.

It was alleged to be misbranded in that the term "Yolks with approx. 10% salt" was false and misleading and tended to deceive and mislead the purchaser when applied to an article containing egg white, egg yolks, and salt.

On April 19, 1937, the Borden Co. having appeared as claimant, judgment of condemnation was entered and it was ordered that the product be released under bond to be relabeled.

H. A. WALLACE, *Secretary of Agriculture.*

**27325. Adulteration and misbranding of preserves. U. S. v. 25 Cartons of Raspberry Preserves and 25 Cartons of Strawberry Preserves. Default decree of condemnation and destruction. (F. & D. no. 39346. Sample nos. 20632-C, 20633-C.)**

These products were deficient in fruit and contained excess sugar and added pectin. The raspberry preserves contained excess moisture and the strawberry contained added acid.

On April 8, 1937, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 cartons of raspberry preserves and 25 cartons of strawberry preserves at Providence, R. I., alleging that they had been shipped in interstate commerce on or about December 1, 1936, by the Velmo Co., from New York, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: Trump Brand 2 Lbs. Pure Raspberry Preserves [or "Pure Strawberry Preserves"] Eastern Wholesale Grocery Co. Distributors Providence, R. I."

The articles were alleged to be adulterated in that sugar, pectin, and water in the case of the raspberry preserve, and sugar, pectin, and acid in the case of the strawberry preserve, had been mixed and packed with them so as to reduce or lower their quality; in that products of said composition containing less fruit and more sugar than preserves should contain had been substituted for preserves, which the articles purported to be; and in that they had been mixed in a manner whereby inferiority was concealed.

The articles were alleged to be misbranded in that the statements, "Pure Raspberry Preserves" and "Pure Strawberry Preserves", appearing upon the labels, were false and misleading and tended to deceive and mislead the purchaser when applied to articles resembling preserves, but which were not preserves; and in that they were imitations of and were offered for sale under the distinctive names of other articles, namely, preserves.

On April 29, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

H. A. WALLACE, *Secretary of Agriculture.*

**27326. Adulteration and misbranding of potatoes. U. S. v. 412 Sacks and 363 Sacks of Potatoes. Decrees of condemnation. Product released under bond to be relabeled. (F. & D. nos. 39382, 39425. Sample nos. 43529-C, 43530-C.)**

These cases involved potatoes that were below the grade declared on the label.

On or about April 16 and April 24, 1937, the United States attorney for the Southern District of Florida, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 412 sacks of potatoes at Tampa, Fla., and 363 sacks of potatoes at Jacksonville, Fla., alleging that they had been shipped in interstate commerce on or about April 3 and April 14, 1937, by D. J. Halloran from Boston, Mass., and charging adulteration and misbranding in violation of the Food and Drugs Act.

One shipment of the article was alleged to be adulterated in that it consisted in part of potatoes below the U. S. Commercial standard, which had been substituted for potatoes of U. S. Commercial standard. The remaining shipment was alleged to be adulterated in that the article was below U. S. Commercial standard since the potatoes had grade defects in excess of 20 percent.

The article was alleged to be misbranded in that the statement "U. S. Commercial" with respect to one lot, and the statement "U. S. Commercial—D. J. H. Brand Packed by D. J. Halloran Boston" with respect to the remaining lot, borne on the sacks, were false and misleading and tended to deceive and mislead the purchaser when applied to potatoes which were below the U. S. Commercial standard.