29056. Adulteration of canned clams. U. S. v. 15 Cases of Clams. Default decree of condemnation and destruction. (F. & D. No. 42074. Sample No. 14133-D.)

This product was in part decomposed.

On March 26, 1938, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 cases of canned clams at Salem, Mass.; alleging that the article had been shipped in interstate commerce on or about November 11, 1937, by Brown & Hart Packing Co. from Cherryfield, Maine; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "B & H Brand Fancy Clams * * * Packed by Brown & Hart Packing Co. Millbridge, Maine."

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

On April 25, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29057. Adulteration and misbranding of imitation lemon flavor. U. S. v. Five 1-Pint Bottles and Three 1-Quart Bottles of Imitation Lemon Flavor. Default decree of condemnation and destruction. (F. & D. No. 41331. Sample No. 44400-C.)

This product contained about 18 percent of a glycol or a glycol ether, or both, poisons.

On January 14, 1938, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of eight bottles of imitation lemon flavor at Elizabeth City, N. C.; alleging that the article had been shipped in interstate commerce on or about June 8, 1937, by the Spartan Products Corporation from Petersburg, Va.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Imitation Lemon Flavor * * * Southern Chemical Co. Manufacturers of Spartan Brand Flavoring Extracts * * * Petersburg, Virginia."

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 in whole or in part for imitation lemon flavor, 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 "Imitation Lemon Flavor" 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, namely, "Imitation Lemon Flavor," a food flavor.

On February 17, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29058. Adulteration of canned clams. U. S. v. 18 Cases of Clams. Default decree of condemnation and destruction. (F. & D. No. 42210. Sample No. 8699-D.)

This product was in whole or in part decomposed.

On April 19, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 18 cases of canned clams at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about May 26 and June 18, 1937, by Burnham & Morrill Co., from Portland, Maine; and charging adulteration in violation of the Food and Drugs Act.

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

On June 15, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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