

interstate commerce on or about May 28, 1938, by De Calais Laboratories, Inc., from New York, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Perfection Brand Pure Lemon Extract * * * R. C. Williams & Co., Inc. Distributors New York."

It was alleged to be adulterated in that a substance containing isopropyl alcohol and citral had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength and had been substituted wholly or in part for it. Adulteration was alleged for the further reason that the article contained an added poisonous or deleterious ingredient, isopropyl alcohol, which might have rendered it injurious to health.

It was alleged to be misbranded in that the statement "Pure Lemon Extract" was false and misleading and tended to deceive and mislead the purchaser when applied to an article which contained added citral and isopropyl alcohol.

On February 8, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30144. Adulteration of sea perch, red perch, and perch fillets. U. S. v. 15 Cases of Sea Perch (and 3 other seizure actions). Decrees of condemnation and destruction. (F. & D. Nos. 44697, 44698, 44699, 44719, 44737, 44738. Sample Nos. 29196-D, 29198-D, 29199-D, 41101-D, 41107-D, 41115-D, 41118-D, 41119-D, 41130-D.)

These products had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination portions were found to be infested with parasitic worms, and portions were in part decomposed.

On January 20, 23, and 27, 1939, the United States attorneys for the District of Colorado and the Northern District of Georgia, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 15 cases of sea perch, 95 cases of red perch, and 233 boxes of red perch fillets at Denver, Colo., and 310 boxes of red perch and 40 boxes of perch fillets at Atlanta, Ga., consigned by Booth Fisheries Corporation; alleging that the articles had been shipped within the period from on or about March 23 to on or about December 23, 1938, from Boston, Mass.; and charging adulteration in violation of the Food and Drugs Act.

The articles were alleged to be adulterated in that certain portions consisted wholly or in part of a filthy animal substance, and other portions consisted wholly or in part of a decomposed animal substance.

On January 23 and February 1, 1939, no claim having been interposed, judgments of condemnation were entered and the products were ordered destroyed.

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

30145. Adulteration of shell eggs. U. S. v. Samuel Barnett (Liberty Trading Co.). Plea of guilty. Fine, \$200. Payment suspended and defendant ordered to keep in touch with this Department in regard to dealings in eggs. (F. & D. No. 42554. Sample No. 12227-D.)

This product was in whole or in part decomposed.

On August 26, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Samuel Barnett, trading as the Liberty Trading Co., Plainfield, N. J., alleging shipment by said defendant in violation of the Food and Drugs Act on or about April 13, 1938, from the State of New Jersey into the State of New York, of a quantity of shell eggs that were adulterated.

Adulteration was alleged in that the article consisted in whole or in part of a filthy and decomposed animal substance.

On December 1, 1938, the defendant entered a plea of guilty and the court imposed a fine of \$200. Payment of fine was suspended, and the defendant was ordered to keep in touch with this Department for a period of 2 years in regard to his dealings in eggs.

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

30146. Misbranding of mayonnaise. U. S. v. 13 Cases of Mayonnaise. Default decree of condemnation and destruction. (F. & D. No. 44257. Sample No. 25611-D.)

This product was short of the declared volume.

On October 31, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 cases of mayonnaise at

New Brunswick, N. J.; alleging that the article had been shipped in interstate commerce on or about August 26, 1938, by Bronson Foods, Inc., from Philadelphia, Pa.; and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled: "Hub City Pure Mayonnaise Contents One Pint Lefkowitz Elias Company New Brunswick, N. J., Distributors."

It was alleged to be misbranded in that the statement "Contents One Pint" was false and misleading and tended to deceive and mislead the purchaser when applied to an article that was short volume; and in that it was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package since the quantity stated was not correct.

On February 4, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30147. Adulteration of prunes. U. S. v. 40 Boxes of Oregon Italian Prunes. Default decree of condemnation and destruction. (F. & D. No. 44618. Sample No. 42101-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be infested with mites.

On January 3, 1939, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 40 boxes of prunes at Philadelphia, Pa.; alleging that the article had been shipped on or about October 19, 1937, from San Francisco, Calif., by the Atlas Mercantile Co.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Nonpareil Brand Oregon Italian Prunes Packed For Frank E. Falk San Francisco."

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

On January 24, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30148. Adulteration of lake herring. U. S. v. 41 Kegs of Fish in Brine. Default decree of condemnation and destruction. (F. & D. No. 44560. Sample No. 29186-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be in part decomposed.

On December 20, 1938, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 41 kegs of fish at Atlanta, Ga.; alleging that the article had been shipped on or about December 10, 1938, by Opelika Wholesale Grocery Co. from Opelika, Ala.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "The Dormer Company Menominee Mich. * * * Superior Lake Herring."

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

On January 7, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30149. Adulteration of canned tomato puree. U. S. v. 24 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. & D. No. 44236. Sample No. 32902-D.)

This product contained excessive mold.

On October 27, 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 24 cases of canned tomato puree at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about September 17, 1938, by Michigan Fruit Cannery, Inc., from Benton Harbor, Mich.; 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 decomposed vegetable substance.