

N. C., alleging that the article had been shipped in interstate commerce on or about December 12, 1940, by Jersey Belle Food Products Co. from New York, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part: (Bottles) "8 Fl. Oz. Pure Extract Vanilla Plantation Extract Corp. New York, N. Y."

The article was alleged to be adulterated (1) in that an imitation vanilla extract containing resinous substances not found in genuine vanilla extract had been substituted wholly or in part for "Pure Extract Vanilla"; (2) in that inferiority had been concealed through the addition of foreign resins; and (3) in that foreign resins had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

It was alleged to be misbranded (1) in that the statement "Pure Extract Vanilla" was false and misleading as applied to an imitation vanilla extract containing resinous substances not found in genuine vanilla extract; (2) in that it was offered for sale under the name of another food; and (3) in that it was an imitation of another food and its label did not bear, in type of uniform size and prominence, the word "imitation" and immediately thereafter the name of the food imitated.

On August 20, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to the Food and Drug Administration for technical purposes.

2818. Adulteration and misbranding of vanilla extract. U. S. v. 155 Bottles of Vanilla Extract. Default decree ordering product delivered to Food and Drug Administration. (F. D. C. No. 3784. Sample No. 35525-E.)

On February 7, 1941, the United States attorney for the Middle District of Alabama filed a libel against 155 bottles of vanilla extract at Montgomery, Ala., alleging that the article had been shipped in interstate commerce on or about December 15, 1940, by Midwest Laboratories from New York, N. Y.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated (1) in that imitation vanilla extract containing resinous substances not found in genuine vanilla extract had been substituted wholly or in part for "Pure Extract Vanilla"; (2) in that inferiority had been concealed through addition of foreign resins; and (3) in that foreign resins had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

The article was alleged to be misbranded (1) in that the statement on the label "Pure Extract Vanilla" was false and misleading; (2) in that it was offered for sale under the name of another food; and (3) in that it was an imitation of another food and its label did not bear, in type of uniform size and prominence, the word "imitation" and immediately thereafter the name of the food imitated.

On April 11, 1941, no claimant having appeared, judgment was entered finding the product adulterated and misbranded as alleged in the libel and ordering that it be delivered to the Food and Drug Administration.

VITAMIN PREPARATIONS

2819. Misbranding of Crawford's Formula 53 with Vitamin E and Crawford's Ridia. U. S. v. 9 Bottles and 4 Bottles of Crawford's Formula 53 with Vitamin E and 1 Bottle of Crawford's Ridia. Default decree of condemnation and destruction. (F. D. C. Nos. 3556, 3557. Sample Nos. 32615-E, 32621-E.)

The labels of both of these products failed to bear the common or usual name of each of the ingredients; Crawford's Ridia also bore false and misleading statements, including representations that it was a suitable supplementary food for diabetics.

On January 6, 1941, the United States attorney for the District of Arizona filed a libel against the above-named products at Tucson, Ariz., alleging that Formula 53 had been shipped on or about July 18, 1940, by Walter Bopp from Eagle Rock, Calif., and that Crawford's Ridia had been shipped on or about August 12, 1940, by Crawford Foods, Inc., from Los Angeles, Calif.; and charging that they were misbranded.

Crawford's Formula 53 with Vitamin E was alleged to be misbranded in that its label failed to bear the common or usual name of each of its ingredients since the names "lucerne" and "capsicum," appearing on the label, were not the common or usual names of the ingredients alfalfa and cayenne pepper, respectively.

Crawford's Ridia was alleged to be misbranded (1) in that the statements on the label, "Supplementary Food for Diabetics, * * * Ridia is a Food Adjuvant