

incurred by the marshal in and about the seizure of said vinegar, and the storage and watching of and insurance upon the same, if any, and the execution by the said claimant, the Baltimore Manufacturing Company, of Baltimore, Maryland, or some one for it, of a good and sufficient bond in the penalty of two hundred dollars (\$200.00), with proper security, to be approved by the court, conditioned that the vinegar aforesaid shall not be sold or otherwise disposed of contrary to the provisions of the said act or the laws of any State, Territory, district, or insular possession of the United States, and that said vinegar be properly labeled and branded in accordance with the said act, the said vinegar may be delivered to the said claimant.

Richmond, Va., January 14, 1909.

The facts in the case were as follows:

On or about January 5, 1909, an inspector of the United States Department of Agriculture found in the possession of the Spence-Nunnemaker Co., Richmond, Va., 15 barrels of vinegar, each barrel being labeled on the head end "Old Southern Syrup Vinegar, Spence-Nunnemaker Co., Richmond, Va.," and on the other end "Guaranteed under the Food and Drugs Act, June 30, 1906, No. 19610. Natural Color." The vinegar had been shipped by the Baltimore Manufacturing Company, Baltimore, Md., to the Spence-Nunnemaker Co., Richmond, Va., on December 31, 1908. The product was misbranded within the meaning of section 8 of the act, because labeled in a manner which represented its manufacture by the Spence-Nunnemaker Co., at Richmond, Va., whereas as a matter of fact the vinegar was manufactured by the Baltimore Manufacturing Company, at Baltimore, Md.

On January 5, 1909, the facts were reported by the Secretary of Agriculture to the United States attorney for the eastern district of Virginia, and libel for seizure and condemnation of said vinegar under section 10 of the act, was duly filed in the court aforesaid, with the result hereinbefore stated.

H. W. WILEY,
F. L. DUNLAP,
GEO. P. MCCABE,

Board of Food and Drug Inspection.

Approved:

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 4, 1909.*

(N. J. 62.)

MISBRANDING OF VINEGAR.

(AS TO LOCATION AND NAME OF MANUFACTURER.)

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations

for the enforcement of the act, notice is given that on the 14th day of January, 1909, in the district court of the United States for the eastern district of Virginia, in a proceeding of libel for condemnation of 50 barrels and 25 half-barrels of vinegar misbranded as to place of manufacture and name of manufacturer, that is to say, vinegar manufactured by the Baltimore Manufacturing Company in Baltimore, Md., but which was labeled "Monarch Brand Syrup, Natural Color, Vinegar. E. A. Saunders' Sons' Company, Richmond, Va.," wherein the United States was libelant and the Baltimore Manufacturing Company, of Baltimore, Md., was claimant, the cause having come on for a hearing and the said claimant having admitted the allegations of the libel, a decree of forfeiture and condemnation was rendered by the court in substance and in form as follows:

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE EASTERN DISTRICT
OF VIRGINIA.

UNITED STATES OF AMERICA
vs.
FIFTY BARRELS AND TWENTY-FIVE HALF-BARRELS OF VINEGAR. }

On motion of the district attorney, and it appearing to the court upon the libel filed herein on the 6th day of January, 1909, monition was duly issued and served, and by virtue of such process, the marshal seized and took into his possession the fifty barrels and twenty-five half-barrels of vinegar described in said libel, labeled and branded as "Monarch Brand Syrup, Natural Color, Vinegar. E. A. Saunders' Sons' Company, Richmond, Va.—Guaranteed under Food and Drugs Act, June 30, 1906, No. 19610;" and it further appearing that the claimant of said vinegar, the Baltimore Manufacturing Company, of Baltimore, Maryland, appeared before this court on this 14th day of January, 1909, and consented that a decree of condemnation should be entered in accordance with the prayer of the libel, it is, therefore, now

Adjudged, ordered, and decreed that the said fifty barrels and twenty-five half-barrels of vinegar, labeled and branded as aforesaid, be, and they are hereby, declared, as charged in the libel, to be misbranded, in violation of the act of June 30, 1906, contained in 34 Statutes at Large, page 768 et seq., entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes;" and it is further ordered that the said fifty barrels and twenty-five half-barrels of vinegar, branded as aforesaid, be, and they are hereby, condemned and ordered to be disposed of by sale at public auction by the marshal, and after due advertisement for five days in some newspaper published in the city of Richmond, Va., the proceeds arising from said sale, less the legal costs and charges, to be paid into the Treasury of the United States.

It is provided, however, that upon payment within fifteen days from the date of this decree of all costs of this proceeding, including all of the expenses incurred by the marshal in and about the seizure of said vinegar, and the storage and watching of and insurance upon the same, if any, and the execution by the said claimant, the Baltimore Manufacturing Company, of Baltimore, Maryland, or some one for it, of a good and sufficient bond in the penalty of five hundred

dollars (\$500.00), with proper security, to be approved by the court, conditioned that the vinegar aforesaid shall not be sold or otherwise disposed of contrary to the provisions of the said act or the laws of any State, Territory, district, or insular possession of the United States, and that said vinegar be properly labeled and branded in accordance with the said act, the said vinegar may be delivered to the said claimant.

Richmond, Va., January 14, 1909.

The facts in the case were as follows:

On or about January 6, 1909, an inspector of the United States Department of Agriculture found in the possession of E. A. Saunders' Sons' Co., Richmond, Va., 50 barrels and 25 half-barrels of vinegar, each barrel being labeled on the head end "Monarch Brand Syrup, Natural Color, Vinegar. E. A. Saunders' Sons' Co.," and on the other end "Guaranteed under the Food and Drugs Act, June 30, 1906, No. 19610." The vinegar had been shipped by the Baltimore Manufacturing Company from Baltimore, Md., to the E. A. Saunders' Sons' Co. on December 28, 1908. The product was misbranded within the meaning of the act because labeled in a manner which represented its manufacture by the E. A. Saunders' Sons' Co., at Richmond, Va., whereas, as a matter of fact, the vinegar was manufactured by the Baltimore Manufacturing Company, in Baltimore, Md.

On January 5, 1909, the facts were reported by the Secretary of Agriculture to the United States attorney for the eastern district of Virginia, and libel for seizure and condemnation of said vinegar, under section 10 of the act, was duly filed in the court aforesaid, with the result hereinbefore stated.

H. W. WILEY,
F. L. DUNLAP,
GEO. P. MCCABE,

Board of Food and Drug Inspection.

Approved:

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 4, 1909.*

(N. J. 63.)

MISBRANDING OF CANNED CORN.

(UNDERWEIGHT.)

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 14th day of January, 1909, in the district court of the United States for the district