

sluggishness, torpid liver and constipation. Dose: As a purgative, four ounces (eight tablespoonsful) and as a laxative, two ounces (four tablespoonsful) best taken in a tumbler of hot or cold water half an hour before breakfast."

Adulteration of the product was alleged in the libel for the reason that it contained and in part consisted of a filthy and decomposed animal substance. Misbranding was alleged for the reason that the aforesaid labels on the bottles and cases bore certain statements, designs, and devices regarding the article and the ingredients and substances contained therein, which said statements, designs, and devices, to wit, the name "West Baden Sprudel Water," together with the pictorial representations on the labels, were false, misleading, and deceptive, in that they represented, imported, and indicated the article to be a natural spring water without additions or abstractions of any kind, whereas, in truth and in fact, such was not the fact, and sodium sulphate, magnesium sulphate, and a little sodium chlorid had been added to the article, and that by reason of the facts aforesaid, the article was further misbranded, in that it was labeled and branded as aforesaid so as to deceive and mislead the purchaser thereof.

On July 16, 1913, no claimant having appeared for the property, although the West Baden Springs Co., West Baden, Ind., the bottler and shipper, and the firm of Levi & Ottenheimer, Cincinnati, Ohio, were given due, legal, and actual notice of the proceedings herein, an order pro confesso was entered, and thereafter on November 5, 1913, final judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 21, 1914.*

3137. Adulteration and misbranding of syrup. U. S. v. 300 Cases of Syrup. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 5270. S. No. 1856)

On July 2, 1913, the United States Attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 cases, each containing 24 cans of so-called Clifton Brand Golden Syrup, remaining unsold in the original unbroken packages and in the possession of the Kroger Grocery and Baking Co., Cincinnati, Ohio, alleging that the product had been shipped and transported from the State of Indiana into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (On cases) "Clifton Brand Golden Syrup 2 Doz #2½ Put up for Kroger Gro. & Bakg. Co Cincinnati, Columbus, Dayton, Ohio, & St. Louis, Mo." (On cans) "Clifton Brand (Pictorial design and representation of a sugar cane field and negro harvesters,) Golden Syrup; * * * * Clifton Brand (Pictorial design and representation of a girl picking flowers in a meadow) Packed for and Guaranteed by The Kroger Grocery & Baking Co Serial No. 30194 Cincinnati, Columbus, Dayton, O., and St. Louis, Mo."

Adulteration of the product was alleged in the libel for the reason that a certain substance, to wit, glucose, had been mixed and packed with the article, so as to reduce and lower and injuriously affect its quality and strength, the said article of food by its label aforesaid purporting to be a cane syrup. Adulteration was alleged for the further reason that a certain substance, to wit, glucose, had been substituted in part, that is to say, to the extent of 89.5 per centum for the article of food which by its label aforesaid purported to

be a cane syrup. Misbranding was alleged for the reason that the aforesaid labels, marks, and brands upon the cans and cases bore certain statements, designs, and devices regarding said article of food and the ingredients and substances contained therein, which said statements, designs, and devices, to wit, the words "Golden Syrup" and the pictorial design and representation showing a sugar cane field with negro harvesters cutting the sugar cane, were false, misleading, and deceptive, in that they represented, imported, and indicated the article of food to be a cane syrup, whereas, in truth and in fact, the article of food was 89.5 per cent glucose, was not a cane syrup, and was not entitled to a label representing it to be a cane syrup. Misbranding was alleged for the further reason that the article of food was labeled and branded as aforesaid so as to deceive and mislead the purchaser thereof, for that the labels, marks, and brands aforesaid were calculated and intended to convey the impression and create the belief in the mind of the purchaser of the article of food that the same was a cane syrup, whereas, in truth and in fact, the article was not a cane syrup, and consisted to the extent of 89.5 per centum of glucose.

On July 15, 1913, the said Kroger Grocery and Baking Co., claimant, having filed its claim and answer admitting the allegations in the libel, consenting to a decree, and tendering payment of all costs and a good and sufficient bond, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released and restored to said claimant upon payment of all the costs of the proceedings, which amounted to \$25.85, and the execution of bond in the sum of \$1,000, in conformity with section 10 of the act.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 21, 1914.*

3138. Adulteration and misbranding of vanilla extract. U. S. v. 1 Barrel of Vanilla Extract. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 5271. S. No. 1857.)

On or about July 2, 1913, the United States Attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel of an article of food represented to be vanilla extract, remaining unsold in the original unbroken package, and in possession of the S. E. Carr Co., Inc., Spokane, Wash., alleging that the product had been shipped under invoice dated May 7, 1913, by Julius Niclas and Co., Chicago, Ill., and transported from the State of Illinois into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (Stencil on barrel) "31-1/2 Gals standard Van." (On shipping tag) "Carr's Dept. Store, Spokane, Washington, Dept. B, from Julius Niclas and Co., Artistic and Ornamental Confectioners, 2260 Clybourn Ave., Chicago."

Adulteration of the product was alleged in the libel for the reason that it contained vanillin, 0.29 per cent, coumarin, 0.22 per cent, resins, none, [with a] lead number, 0.03, color, caramel, and an imitation extract of vanilla had been mixed and packed with said product in such a manner as to reduce and lower and injuriously affect its quality and strength and had been substituted for it, and it was also colored in a manner whereby inferiority was concealed. Misbranding was alleged for the reason that the labeling of the product was misleading and false so as to deceive and mislead the purchaser, and so as to offer the same for sale as an article of standard strength and quality.