

injuriously affect the quality and strength of said product. Misbranding was alleged for the reason that the product was an imitation of and was offered for sale under the distinctive name of another article, to wit, methyl salicylate, in imitation of and for sale under the distinctive name of oil of wintergreen and oil of sweet birch.

On January 6, 1914, no claimant having appeared for the property, 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 26, 1914.*

3203. Adulteration and misbranding of oil of birch. U. S. v. 2 Packages of Oil of Birch. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5373. S. No. 1971.)

On October 27, 1913, the United States Attorney for the Southern District of New York, 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 2 packages containing 117 pounds of a product purporting to be oil of birch, remaining unsold in the original unbroken packages and in possession of Antione Chiris Co., New York, N. Y., alleging that the product had been shipped on or about September 25, 1913, by Trivett and Ray, Beech Creek, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product bore no marks, brands, or labels.

Adulteration of the product was alleged in the libel for the reason that it had mixed and packed with it, and substituted in part for it, a certain substance, to wit, methyl salicylate, in such manner as to reduce, and lower, and injuriously affect the quality and strength of said product. Misbranding was alleged for the reason that the product was an imitation of and offered for sale under the distinctive name of another article, to wit, methyl salicylate, in imitation of and offered for sale under the distinctive name of birch oil.

On January 6, 1914, no claimant having appeared for the property, 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 26, 1914.*

3204. Adulteration and misbranding of oil of birch. U. S. v. 1 Package of Oil of Birch. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5374. S. No. 1972.)

On October 27, 1913, the United States Attorney for the Southern District of New York, 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 package, containing 76 pounds of a product purporting to be oil of birch, remaining unsold in the original unbroken package and in possession of H. Cohen, New York, N. Y., alleging that the product had been shipped on or about October 3, 1913, by J. T. Perry, Elizabethton, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product bore no marks, brands, or labels.

Adulteration of the product was alleged in the libel for the reason that it had mixed and packed with it, and substituted in part for it, a certain substance, to wit, methyl salicylate, in such manner as to reduce and lower and injuriously affect the quality and strength of said product, and which said