

in fact, the same was not prepared exclusively from malt and hops, but was prepared in part from a cereal or cereal product other than malt.

On April 6, 1914, the defendant company withdrew its plea of not guilty previously entered and entered its plea of guilty to the informations, and the court imposed a fine of \$25 on each information, or a total fine of \$50.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

**3376. Adulteration of nutmegs. U. S. v. 94 Sacks of Nutmegs. Consent decree of condemnation and forfeiture. Product released on bond.**  
(F. & D. No. 5504. I. S. Nos. 7702-h, 7703-h. S. No. 2067.)

On December 29, 1913, the United States attorney for the Eastern District of Pennsylvania, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 94 sacks of nutmegs, 60 of which contained 130 pounds and 34 of which contained 120 pounds of nutmegs, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the product had been shipped on or about December 9, 1913, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "Sing-A-G-A-I-New York from Strait Settlements."

Adulteration of the product was alleged in the libel for the reason that it consisted wholly or in part of a filthy and decomposed animal substance; adulteration was alleged for the further reason that the product consisted in whole or in part of a filthy and decomposed vegetable substance.

On February 20, 1914, Lewis German & Co., New York, N. Y., claimants, having admitted the adulteration of the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants upon payment of all the costs of the proceedings and the execution of bond in the sum of \$3,000, in conformity with section 10 of the act.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

**3377. Misbranding of macaroni. U. S. v. 18 Boxes of Macaroni, More or Less. Default decree of condemnation and forfeiture. Product ordered sold.** (F. & D. No. 5507. S. No. 2069.)

On December 26, 1913, the United States attorney for the District of Maryland, 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 18 boxes of macaroni, more or less, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the product had been transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act. The product was labeled: "White Star of Italy Gragnano Style Near NAPOLI Trade Mark Manufactured by Antonio Ciricola Artificial Coloring Guaranteed by the Pure Food Act June 30, 1906, Serial No. 52687."

Misbranding of the product was alleged in the libel because the use of the statement on label, "White Star of Italy," and the word "Gragnano," the name of a village in Italy where there is a large macaroni industry, and the word "Napoli," with modification in very inconspicuous type by intervening words "style near," was false and misleading in that foreign origin of the said macaroni was implied, when in fact said product was domestic. Misbranding of the product was alleged for the further reason that the incorrect use