

Brandy Type," which said statement was false and misleading, in that it purported and represented to purchasers that said article was a type of apple brandy, whereas, in truth and in fact, it was not a type of apple brandy, but was a mixture of apple brandy and neutral spirits. Misbranding was alleged for the further reason that the article of food was labeled and branded so as to mislead and deceive the purchaser, being labeled and branded "Apple Brandy Type," thereby purporting and representing that said article was a type of apple brandy, whereas, in truth and in fact, it was not a type of apple brandy, but was a mixture of apple brandy and neutral spirits.

On March 30, 1914, the defendant company entered its plea of guilty to the information and the court imposed a fine of \$15, with costs of \$15.60.

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

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

**3381. Adulteration of pork and beans with tomato sauce. U. S. v. 500 Cases of Pork and Beans with Tomato Sauce. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 5558. I. S. No. 5177-h. S. No. 2108.)

On February 4, 1914, the United States attorney for the Western District of Missouri, 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 500 cases, each containing 24 cans of pork and beans with tomato sauce, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the product had been shipped on or about December 8, 1913, and transported from the State of Michigan into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "2 doz. No. 2 1/2 cans. Park Brand Pork & Beans Tomato Sauce. Packed by Thomas Canning Co., Grand Rapids, Mich.;" the cans were labeled: "Park Brand Pork and Beans with Tomato Sauce. Thomas Canning Co., Grand Rapids, Mich. Thomas Canning Co., Grand Rapids, Mich. Packers of Quality. Guaranteed by Thomas Canning Co. under the Food and Drugs Act, June 30, 1906. Serial No. 5076. Thomas Canning Co. Packers of Quality. Grand Rapids, Mich. Contents 2 Lbs. Park Brand Pork and Beans with Tomato Sauce. Thomas Canning Co. Grand Rapids, Mich."

Adulteration of the product was alleged in the libel for the reason that each of the cans was filled with a vegetable substance which consisted in whole or in part of a filthy, decomposed, and [or] putrid vegetable substance, containing partly moldy beans, badly moldy and musty beans, and mold in said tomato sauce, and which were mixed and colored in a manner whereby damage and inferiority were concealed.

On March 28, 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.

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

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

**3382. Adulteration and misbranding of vanilla flavor. U. S. v. 1 Keg of So-called Vanilla Flavor. Default decree of condemnation and forfeiture. Product ordered sold.** (F. & D. No. 5560. I. S. No. 3364-h. S. No. 2095.)

On January 29, 1914, the United States attorney for the District of New Jersey, 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 keg containing 5 gallons of alleged vanilla flavor remaining unsold in the original unbroken package at the borough of Rutherford, N. J.,