

10057. Adulteration and misbranding of coal-tar color. U. S. * * * v. 3 Pounds and 12 Ounces * * * of Coal-Tar Color, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 15044, 15045, 15094 I. S. Nos. 2916-t, 2918-t, 2919-t, 2926-t, 2927-t. S. Nos. C-3076, C-3077, C-3088.)

On June 23 and 27, 1921, respectively, the United States attorney for the Southern District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of seven 1-pound cans and four 12-ounce lots of coal-tar color, at Houston, Tex., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about August 15, 1918, and January 27 and February 15, 1921, respectively, and transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "W. B. Wood Mfg. Co., St. Louis, Mo. Complies with all requirements, * * *"

Adulteration of the article was alleged in substance in the libels for the reason that [sodium] chlorid and [sodium] sulphate had been mixed and packed with, and substituted wholly or in part for, the said article. Adulteration was alleged for the further reason that the article contained an added poisonous or deleterious ingredient, arsenic, which might render it injurious to health.

Misbranding of the article involved in the consignment of January 27, 1921, was alleged in substance for the reason that the statement on the label of the cans containing the said article, to wit, "Complies with all requirements, Warranted quality, color," was false and misleading and deceived and misled the purchaser.

On October 11, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10058. Adulteration of peanut butter. U. S. * * * v. 2 Barrels of Peanut Butter * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15078. I. S. No. 8487-t. S. No. E-3391.)

On June 22, 1921, 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 2 barrels of peanut butter, remaining in the original unbroken packages at Baltimore, Md., consigned on or about May 25, 1921, alleging that the article had been shipped by the O. D. Peanut Corp., Norfolk, Va., and transported from the State of Virginia into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Old Dominion Peanut Corp. Con-B Brand Peanut Butter * * *"

Adulteration of the article was alleged in the libel for the reason that a substance, mineral oil, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for the said article.

On October 17, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10059. Adulteration and misbranding of table oil. U. S. * * * v. 24 Cans of * * * Table Oil * * *. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 15247. I. S. No. 8486-t. S. No. E-3486.)

On July 26, 1921, 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 24 cans of table oil, remaining in the original unbroken packages at Baltimore, Md., consigned on or about June 4, 1921, alleging that the article had been shipped by Gamanos & Booskos, New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in substance in the libel for the reason that corn oil and cottonseed oil had been mixed and packed therewith so as to

reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article had been mixed in a manner whereby its inferiority was concealed.

Misbranding was alleged in substance for the reason that the labels of the cans containing the article bore certain statements, designs, and devices regarding the article and the ingredients and substances contained therein, as follows, "Finest Quality Table Oil Insuperabile * * * Termini Imerese Type," together with a design showing natives gathering olives from an olive tree and the use of the Italian language, not corrected by the statement at the bottom of the label in small, inconspicuous type, "Cottonseed Oil Slightly Flavored With Olive Oil," and the statement "One Quart," which were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article purported to be a foreign product when not so; for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article; and for the further reason that it was in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On October 1, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be relabeled and sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10060. Adulteration and misbranding of vinegar. U. S. * * * v. 14 Barrels of Vinegar. Decree ordering release of product under bond. (F. & D. No. 9135. I. S. No. 11922-p. S. No. C-930.)

On July 9, 1918, the United States attorney for the Eastern District of Arkansas, 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 14 barrels of vinegar, at Paragould, Ark., alleging that the article had been shipped by the Wallace-McLean Vinegar Co., Memphis, Tenn., on or about March 21, 1918, and transported from the State of Tennessee into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Wallace-McLean Vinegar Co., Memphis, Tenn., Elko Brand Vinegar * * *."

Adulteration of the article was alleged in substance in the libel for the reason that distilled vinegar or added acetic acid had been mixed and packed therewith so as to reduce and injuriously affect its quality and strength and had been substituted in part for the said article. Adulteration was alleged for the further reason that the article had been artificially colored in a manner whereby its inferiority to genuine vinegar was concealed.

Misbranding was alleged in substance for the reason that the statement in the labeling thereof, to wit, "[Vinegar] Reduced By Water To 4%," was false and misleading and deceived the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, vinegar.

On November 26, 1918, Chas. F. McLean having filed a claim and answer to the libel, praying permission to take the product down under bond, judgment of the court was entered ordering that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10061. Adulteration of grape flavor. U. S. * * * v. W. B. Wood Mfg. Co., a Corporation. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 12814. I. S. No. 7576-r.)

On September 29, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the W. B. Wood Mfg. Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 11, 1919, from the State of Missouri into the State of Illinois, of a quantity of grape flavor which was adulterated. The article was labeled in part: "Soluble Emulsion Concord Grape Flavor * * * Sole Manufacturers W. B. Wood Mfg. Co. Saint Louis, Missouri, * * *"