

original packages at Norfolk, Va., alleging that the article had been shipped by R. C. Williams & Co., from New York, N. Y., on or about February 24, 1922, and transported from the State of New York into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Shipping carton) "The Famous Royal * * * Scarlet Brand, * * * R. C. Williams & Co., New York;" (bottle) "Flavoring Extract Terpeneless Lemon * * * Contents 2 Fl. Oz."

Misbranding of the article was alleged in the libel for the reason that the statement in the labeling, to wit, "Contents 2 Fl. Oz." was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement, "Contents 2 Fl. Oz.," made thereon was incorrect.

On February 16, 1924, R. C. Williams & Co., New York, N. Y., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

12137. Adulteration and misbranding of vanilla. U. S. v. 300 Dozen Bottles of Vanilla. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16686. I. S. No. 1301-v. S. No. E-4079.)

On or about August 2, 1922, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 300 dozen bottles of vanilla, remaining in the original packages at Norfolk, Va., alleging that the article had been shipped by R. C. Williams & Co., from New York, N. Y., June 30, 1922, and transported from the State of New York into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Carton) "The Famous Royal * * * Scarlet Brand * * * R. C. Williams & Co., New York;" (bottle) "Flavoring Extract Vanilla * * * Contents 1 Fl. Oz."

Adulteration of the article was alleged in substance in the libel for the reason that dilute extract of vanilla, reinforced with vanillin and mixed and colored in a manner whereby damage and inferiority were concealed, had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the statements appearing in the labeling, (bottle) "D-P Brand * * * Flavoring Extract Vanilla," (carton) "Use D. P. Quality Flavoring Extracts For Flavoring," (wholesale carton) "The Famous Royal * * * Scarlet Brand The Finest Food Products In The World," were false and misleading and deceived and misled 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.

On February 16, 1924, R. C. Williams & Co., New York, N. Y., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

12138. Adulteration and misbranding of vanilla extract. U. S. v. 120 Dozen Bottles of Vanilla Extract. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16762. I. S. No. 1305-v. S. No. E-4133.)

On August 23, 1922, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 120 dozen bottles of vanilla extract, remaining in the original packages at Norfolk, Va., alleging that the article had been shipped by R. C. Williams & Co., from New York, N. Y., on or about July 30, 1922, and transported from the State of New York into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Shipping carton) "The Famous

Royal * * * Scarlet Brand * * * R. C. Williams & Co., New York;” (bottle) “Flavoring Extract Vanilla * * * Contents 2 Fl. Oz.”

Adulteration of the article was alleged in the libel for the reason that dilute extract of vanilla, reinforced with vanillin and mixed and colored in a manner whereby damage and inferiority were concealed, had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements appearing on the bottles containing the article and on the cartons in which they were packed, to wit, (bottle and carton) “Flavoring Extract Vanilla * * * Contents 2 Fl. Oz.” (carton) “Use * * * Quality Flavoring Extracts For Flavoring,” (wholesale carton) “The Famous Royal * * * Scarlet Brand The Finest Food Products In The World,” were false and misleading and deceived and misled 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, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package since the statement, to wit, “Contents 2 Fl. Oz.,” was incorrect.

On February 16, 1924, R. C. Williams & Co., New York, N. Y., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

12139. Adulteration and misbranding of ground mixed feed barley. U. S. v. 500 Bags of Ground Feed. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 18193. I. S. No. 10297-v. S. No. E-3905.)

On December 20, 1923, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 500 bags of ground feed, remaining in the original unbroken packages at East Point, Ga., alleging that the article had been shipped by the Cokato Milling Co., from Minneapolis, Minn., on or about October 7, 1923, and transported from the State of Minnesota into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Tag) “100 Lbs. Net Ajax Ground Mixed Feed Barley * * * Protein 11% * * * Manufactured By Cokato Milling Co. Minneapolis, Minn.”

Adulteration of the article was alleged in the libel for the reason that a substance deficient in protein and containing oats and screenings had been mixed and packed with and substituted wholly and in part for ground mixed feed barley, which the said article purported to be.

Misbranding was alleged for the reason that the statements in the labeling, “Ground Mixed Feed Barley * * * Protein 11%,” were false and misleading and deceived and misled the purchaser, in that the article was not a ground mixed feed barley and did not contain 11 per cent of protein. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, to wit, “Ground Mixed Feed Barley * * * Protein 11%.”

On January 8, 1924, 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. F. MARVIN, *Acting Secretary of Agriculture.*

12140. Misbranding of cottonseed meal. U. S. v. 1,300 Sacks, et al., of Cottonseed Meal. Decrees of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. Nos. 18219, 18220, 18221, 18224, 18235, 18237. I. S. Nos. 13701-v, 15846-v, 15847-v, 15848-v, 15878-v, 15879-v. S. Nos. E-4679, E-4680, E-4681, E-4685, E-4711, E-4717.)

On December 27, 1923, and January 2 and 7, 1924, respectively, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 1,930 sacks of cottonseed meal, remaining in the original unbroken packages in various lots at Christiana, Landisville, Strasburg, Vintage, Elizabethtown, and East