

and condemnation of 452 cases of canned shrimp, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Marine Products Co., Albany, N. Y. [New Orleans, La.], December 2, 1924, and transported from the State of New York into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "O. K. Brand Baratavia Shrimp."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole and in part of a filthy, decomposed, and putrid animal substance.

On February 16, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13131. Adulteration and misbranding of vanilla extract. U. S. v. 1,428 Bottles of Vanilla Extract. Default decree entered, ordering product destroyed. (F. & D. No. 19181. I. S. Nos. 18299-v, 18300-v. S. No. C-4044.)**

On November 21, 1924, the United States attorney for the Southern District of Ohio, 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 1,428 bottles of vanilla extract, remaining unsold in the original packages at Columbus, Ohio, consigned by Morrow & Co., from New York, N. Y., about September 27, 1924, alleging that the article had been transported in interstate commerce from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act. A portion of the article was labeled in part: (Bottle and carton) "Nabob Pure Vanilla Extract \* \* \* For Flavoring," (carton) "Nabob Pure Extracts \* \* \* These goods are guaranteed to comply with all state and federal pure food laws." The remainder of the said article was labeled in part: (Bottle and carton) "Queen Brand Pure Extract Vanilla \* \* \* For Flavoring," (carton) "All Food Products Sold Under This Brand Are Uniformly Good, And Sure To Please Discriminating Housewives \* \* \* These Extracts Are Made With The Greatest Possible Care And Are Guaranteed Pure And Of Uniform Quality."

Adulteration of the article was alleged in the libel for the reason that a substance, an imitation vanilla extract, had been mixed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article, and for the further reason that it was colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statements "Pure Vanilla Extract for Flavoring," "Pure Extracts," "These goods are guaranteed to comply with all state and federal pure food laws," with respect to a portion of the product, and the statements "All Food Products Sold Under This Brand Are Uniformly Good, and Sure to Please Discriminating Housewives" "These Extracts Are Made With the Greatest Possible Care And Are Guaranteed Pure and of Uniform Quality," with respect to the remainder thereof, 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 offered for sale under the distinctive name of another article, to wit, pure vanilla extract.

On February 27, 1925, no claimant having appeared for the property, judgment of the court was entered, finding the product liable to condemnation as being adulterated and misbranded, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13132. Adulteration of tomato puree. U. S. v. 290 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19534. I. S. No. 13319-v. S. No. E-5110.)**

On January 27, 1925, 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 praying the seizure and condemnation of 290 cases of tomato puree, consigned about September 6, 1924, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by J. C. [G.] Townsend, Jr., & Co., from Georgetown, Del., and transported from the State of Delaware into the State of New York, and charging adulteration in violation of the food and

drugs act. The article was labeled in part: "Snider's Puree of Tomato \* \* \* The T. A. Snider Preserve Co. Chicago, U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On March 6, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13133. Adulteration of butter. U. S. v. 9 Tubs and 7 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed.** (F. & D. Nos. 19866, 19867. I. S. Nos. 19170-v, 23976-v. S. Nos. C-4651, C-4658.)

On February 13 and 17, 1925, respectively, the United States attorney for the Northern District of Illinois acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 16 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Community Creamery, from Riley, Kans., in part February 2 and in part February 6, 1925, and transported from the State of Kansas into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libels for the reason that excessive water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted therefrom, and for the further reason that it contained less than 80 per cent of butterfat.

On February 20, 1925, the cases having been consolidated into one action, and Gallagher Bros., Chicago, Ill., claimant, having admitted the allegations of the libels and consented to the entry of a decree, 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 \$1,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department so as to remove the excess water and bring the butterfat content up to not less than 80 per cent.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13134. Misbranding of coffee. U. S. v. 5 Cases, et al., of Coffee. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 19807, 19817, 19849. I. S. Nos. 20512-v, 20513-v, 20514-v, 20516-v, 20531-v, 20532-v. S. Nos. W-1643, W-1647, W-1682.)

On February 18 and March 2, 1925, respectively, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 33 cases, each containing a number of cans, of coffee, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by J. A. Folger & Co., from San Francisco, Calif., between the dates of February 9 and February 26, 1925, and transported from the State of California into the State of Washington, and charging misbranding in violation of the food and drugs act as amended. A portion of the article was labeled: (Can) "Folger's Golden Gate Coffee 2½ Lbs. Net Weight" (or "2 Lbs. Net Weight") "J. A. Folger & Co." The remainder of the said article was labeled: (Can) "Shasta Steel Cut Coffee 5 Lbs. Net Weight" (or "1 Lb. Net Weight") "J. A. Folger & Co."

Misbranding of the article was alleged in the libel for the reason that the statements "2½ Lbs. Net Weight," "5 Lbs. Net Weight," "1 Lb. Net Weight," and "2 Lbs. Net Weight," as the case might be, borne on the respective-sized cans containing the said article, were false and misleading and deceived and misled the purchaser, 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 packages.

On or about March 4, 1925, J. A. Folger & Co., San Francisco, Calif., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were en-