

Issued November 28, 1913.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2624.

(Given pursuant to section 4 of the Food and Drugs Act.)

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**U. S. v. One Barrel Vanilla Extract. Decree of condemnation by default.  
Product ordered destroyed.**

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### ADULTERATION AND MISBRANDING OF VANILLA EXTRACT.

On January 8, 1913, 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 one barrel containing approximately 27 gallons of so-called vanilla extract, remaining unsold in the original unbroken package at Union Hill, N. J., alleging that the product had been shipped on or about November 16, 1912, by David Lowenthal, New Rochelle, N. Y., and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product bore no label, but was invoiced as "One bbl. 27 gallon of Vanilla."

Adulteration of the product was alleged in the libel for the reason that it consisted wholly or in part of an imitation extract of vanilla which had been colored in a manner to conceal its inferiority and which said imitation extract of vanilla had been substituted wholly or in part for extract of vanilla. Adulteration was alleged for the further reason that the product had mixed with it a substance, to wit, imitation extract of vanilla, so as to reduce or lower and injuriously affect its quality and strength, and for the further reason that the imitation extract of vanilla was substituted wholly or in part for vanilla extract. Misbranding was alleged for the reason that the product was an imitation of extract of vanilla and was sold for extract of vanilla.

On March 4, 1913, 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.

B. T. GALLOWAY,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1913.*

