

that is to say, it represented the article to be manufactured and produced in the Kingdom of Italy, whereas, in truth and in fact, it was manufactured and produced in the State of New York, United States of America.

On January 16, 1913, a claim and stipulation for costs having been filed with the clerk of the court by Peter Massaro, claimant, Fulton, N. Y., a decree of condemnation and forfeiture was entered and it was ordered by the court that the product should be redelivered to said claimant upon payment of the costs of the proceeding and the execution of bond in the sum of \$215, or unless said claimant complied with the conditions of the foregoing order that the product should be sold by the United States marshal.

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

WASHINGTON, D. C., *March 30, 1914.*

2999. Adulteration and misbranding of vanilla flavor. U. S. v. West India Mfg. Co. Plea of guilty. Fine, \$20. (F. & D. No. 4893. I. S. No. 2302-e.)

On December 11, 1913, 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 West India Mfg. Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 25, 1912, from the State of Missouri into the State of Florida, of a quantity of so-called vanilla flavor, which was adulterated and misbranded. The product was labeled: "Vanilla Flavor Compound, No. 3828. Guaranteed under the Food and Drugs Act June 30, 1906."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume).....	20.10
Methyl alcohol.....	None.
Coloring matter: Caramel.	
Vanillin (per cent).....	0.686
Coumarin.....	None.
Resins by dealcoholizing: Very slight.	
Leach test: Negative.	
Winton lead number.....	0.13

Adulteration of the product was alleged in the information for the reason that a compound of vanillin and coumarin artificially colored had been mixed and packed with the product so as to reduce and lower and injuriously affect its quality and strength; and further in that a compound of vanillin and coumarin, which had been artificially colored, had been substituted wholly or in large part for the genuine article; and further in that said product was colored in a manner whereby its inferiority was concealed. Misbranding was alleged for the reason that the statement "Vanilla Flavor," so borne on the label as aforesaid, was false and misleading, because it conveyed the impression that the product was genuine vanilla flavor, whereas, in truth and in fact, it was a compound of vanillin and coumarin artificially colored; and the said statement, "Compound," which appeared inconspicuously upon the label, was insufficient to correct the false impression conveyed by said statement "Vanilla Flavor." Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser, in that it was labeled "Vanilla Flavor," whereas, in truth and in fact, it was a compound of vanillin and coumarin artificially colored, and the said statement, "Compound," so appearing on the label inconspicuously, was not sufficient to correct the false impression conveyed by the statement "Vanilla Flavor."

On December 15, 1913, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$20.

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

WASHINGTON, D. C., *March 30, 1914.*