

into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The product was labeled "Capie and McAllister, Baltimore. From Howard W. Sockwell, Maurice River, New Jersey."

Adulteration of the product was alleged in the libel for the reason that it consisted of a filthy, decomposed, and putrid animal substance, to wit, filthy and decomposed clams.

On June 19, 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., May 21, 1914.

3128. Adulteration and misbranding of wine. U. S. v. 19 Barrels of Wine. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 5260. S. No. 1845.)

On June 19, 1913, the United States Attorney for the District of Massachusetts, 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 19 barrels of wine remaining unsold in the original unbroken packages at Boston, Mass., alleging that the product had been shipped by C. Giacona and Co., New Orleans, La., and transported from the State of Louisiana into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "Vittoria Type—S. N. P. Claret—Made Wine Artificial Harmless Coloring—Made from Pure Dry Grapes—C. Giacona & Co., New Orleans, La.—Guaranteed under the Food and Drugs Act, June 30, 1906—Serial No. 13268—J. S. W.—6/5/13."

Adulteration of the product was alleged in the libel for the reason that a substance, to wit, an imitation wine, artificially colored to conceal inferiority, prepared partly from starch sugar, had been substituted in part for said wine. Misbranding was alleged for the reason that said food and the package and the label thereof bore a statement, design, and device regarding said food and the ingredients and substances contained therein which was false and misleading, that is to say, the words "Vittoria Type Claret," which appeared thereon, because said words would lead a purchaser to believe that said food was Vittoria type claret wine, whereas, in truth and in fact, it was not.

On July 10, 1913, Giuseppe Carresi, of Boston, Mass., claimant, having consented thereto, judgment of condemnation and forfeiture was entered and it was ordered that the product should be delivered to said claimant upon payment of the costs of proceedings, which amounted to \$39.25, and the execution of the bond in the sum of \$400, in conformity with section 10 of the act.

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

WASHINGTON, D. C., May 21, 1914.

3129. Adulteration and misbranding of wine. U. S. v. 8 Barrels of Wine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5261. S. No. 1843.)

On June 20, 1913, the United States Attorney for the Western District of Pennsylvania, 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 8 barrels, purporting and represented to contain Ohio port wine, remaining unsold in the original unbroken packages at 305 Scotland Street, Pittsburgh, Pa., alleging that the product had been shipped on or about May 28, 1913, by the Kelley's Island Wine Co., Kelley's Island, Ohio, and transported from the State of Ohio into the State of Pennsylvania, and

charging adulteration and misbranding in violation of the Food and Drugs Act. The barrels were labeled: (On one end) "Parker Brown Co., Allegheny, Pa."; (On the other end) "Sweet Pomace Wine (Gauge) Ohio Port Wine Guaranteed Under National Pure Food and Drugs Act, June 30, 1906, Kelley's Island Wine Company, Kelley's Island, Ohio".

Adulteration of the product was alleged in the libel for the reason that a substance, to wit, an imitation product prepared in part from starch sugar, had been substituted wholly or in part for port wine. Misbranding was alleged for the reason that the product was offered for sale under the distinctive name of port wine, whereas, in fact, it was not port wine but an imitation product prepared wholly or in part from starch sugar and in imitation of port wine, and for the further reason that it was labeled and branded so as to deceive and mislead the purchaser, that is to say, was branded and labeled as port wine, whereas, in fact, it was not port wine but an imitation product prepared wholly or in part from starch sugar and in imitation of port wine; and for the further reason that it was offered for sale purporting to be a foreign product, that is to say, the words "port wine" were in large black type on the head of each barrel, and standing apart from the rest of the label near the upper part on each barrel head, and remote from the words "port wine," in materially reduced type, was the single word "Ohio," the effect of the label being to indicate that the product offered for sale was "port wine," a wine manufactured in southwestern Europe, whereas, in fact, said wine was manufactured in the State of Ohio in the United States of America. Misbranding was alleged for the further reason that the packages containing the product and their labels bore respectively a statement regarding the substances contained therein, which was false and misleading, to wit, by the label on each of said barrels the substance contained therein purported to be "port wine," whereas, in fact, the substance contained in each of said barrels was not "port wine," which is the fermented juice pressed from entire, sound, ripe grapes, but was an imitation product, prepared wholly or in part from starch sugar and in imitation of port wine.

On July 30, 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., *May 21, 1914.*

3130. Misbranding of Dr. Sullivan's Sure Solvent. U. S. v. 6 Cases of Dr. Sullivan's Sure Solvent. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5262. S. No. 1844.)

On June 21, 1913, the United States Attorney for the Northern 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 for the seizure and condemnation of 6 cases of Dr. Sullivan's Sure Solvent, remaining unsold in the original unbroken packages at Cleveland, Ohio, alleging that the product had been shipped on or about June 7, 1913, by the Dr. Sullivan Sure Solvent Co., Buffalo, N. Y., and transported from the State of New York into the State of Ohio, consigned to The Hall-Van Gorder Co., Cleveland, Ohio, and charging misbranding in violation of the Food and Drugs Act as amended. The product was labeled: (On bottles) "The most wonderful medicine known for removing the following diseases from the human system, Kidney and Liver Complaint, Catarrh of the Stomach, Rheumatism, Paralysis, Nervous Exhaustion, St. Vitus Dance, Asthma, All Female Weakness and is especially recommended for all disorders of the stomach." (On cartons) "The celebrated Dr. Sullivan's Sure Solvent Alcohol, 9 per cent Trade Mark The Most Wonderful Medicine Known For