

article was colored in such manner as to conceal its inferiority. Misbranding was alleged for the reason that the product was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, methyl salicylate, in imitation of and offered for sale under the distinctive name of oil of birch.

On January 6, 1914, 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 26, 1914.*

3205. Adulteration of tomato pulp. U. S. v. 100 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5375. S. No. 1980.)

On October 27, 1913, the United States Attorney for the Southern 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 for the seizure and condemnation of 100 cases, each containing 4 dozen cans of tomato pulp, remaining unsold in the original unbroken packages and in possession of W. B. Myers, Savannah, Ga., alleging that the product had been shipped on or about October 8, 1913, by D. E. Foote & Co., Baltimore, Md., and transported from the State of Maryland into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: (On cases) "W. B. Myers, Savannah, Ga.—Family Brand Tomato Pulp Packed by D. E. Foote & Co. Baltimore, Md." (On cans) "Family Brand—Contents 10 oz. or over. Tomato pulp made from small tomatoes and trimmings. Packed by D. E. Foote & Co. Inc. Baltimore, Md."

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of filthy, decomposed, or putrid vegetable substance.

On December 10, 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 26, 1914.*

3206. Adulteration and misbranding of wine. U. S. v. 10 Barrels of So-called Wine. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 5377. S. No. 1977.)

On October 25, 1913, the United States Attorney for the Eastern District of Louisiana, 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 10 barrels of so-called wine, remaining unsold in the original unbroken packages and on the wharfs of the Southern Pacific Co., New Orleans, La., alleging that the product had been shipped on or about October 8, 1913, by the Two Brothers Wine and Liquor Co., Newark, N. J., and transported from the State of New Jersey into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "Jack Johnson made wine preserved with 1/10 of 1 per cent of sodium benzoate. Nola Trading Company. New Orleans La. Momus 136 Oct 8 13 14."

Adulteration of the product was alleged in the libel for the reason that it contained substances which had been mixed with it so as to reduce, lower, and injuriously affect its quality and strength, and, further, for the reason that a certain substance had been substituted in part for the article itself, and for the further reason that the article was colored and mixed with certain artificial coloring matter in a manner whereby inferiority was concealed. Mis-