

branding of the article was alleged for the reason that the product was labeled "Wine," when, in fact, the said article consisted of an imitation wine, artificially colored, and that in this manner the said label was false and misleading in regard to the ingredients of the said article contained in the barrels upon which said label appeared, and said article was further misbranded in that it was an imitation of and offered for sale under the distinctive name of another article, to wit, wine. Misbranding was alleged for the further reason that the product was labeled and branded "Wine," so as to deceive and mislead the purchaser into believing that the said article was wine, when, in truth and fact, it was not wine but, was imitation wine artificially colored.

On November 24, 1913, the said Two Brothers Wine and Liquor Co., claimants, having filed their answer admitting the aforesaid allegations in the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants upon payment of the costs of the proceeding and execution of bond in the sum of \$200, in conformity with section 10 of the act.

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

WASHINGTON, D. C., May 26, 1914.

3207. Adulteration of grapes. U. S. v. 500 Baskets of Grapes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5378. S. No. 1978.)

On October 27, 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 500 baskets of grapes, remaining unsold in the original unbroken packages at Waynesburg, Ohio, alleging that the product had been shipped in interstate commerce on or about October 17, 1913, by the Descalzi Fruit Co., Pittsburgh, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. It was alleged in the libel that the product was adulterated in violation of paragraph 6, under "Foods," of section 7 of the act of Congress approved June 30, 1906, commonly known and designated as the Food and Drugs Act, in that said product consisted in whole or in part of filthy, decomposed, and putrid vegetable matter, unfit for food or as an ingredient of food, and on account of the condition of said grapes it was charged in the libel that they were adulterated within the meaning of said act of Congress.

On January 5, 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.

3208. Adulteration of tomato stock. U. S. v. 200 Cases of Tomato Stock. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5383. S. No. 1983.)

On October 28, 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 200 cases, each containing 24 cans of tomato stock, remaining unsold in the original unbroken packages, and in possession of the Georgia Warehouse & Commission Co., Savannah, Ga., alleging that the product had been shipped on or about October 9, 1913, by the Greenabaum Bros. Co., Seaford, Del., and transported from the State of Delaware into the State of Georgia,

and charging adulteration in violation of the Food and Drugs Act. The product was labeled: (On cases) "Johnson Brand 2 doz. No. 3 Contents, 2 lbs. ea. Tomato Stock. Made from Tomatoes and Juice and Pulp expressed from Parings. Packed by Greenabaum Bros. Inc. Seaford, Del." (On cans) "Johnson Brand Tomato Stock for Soups and Stews. Packed by Greenabaum Bros. Inc., Seaford, Sussex Co. Del. Johnson Brand Tomato Stock for Soups and Stews. Packed by Greenabaum Bros. Inc., at Seaford, Sussex Co., Del. Contents 2 pounds. Made from Tomatoes and Juice and Pulp Expressed from Parings. For stewing. Bring contents to a boil in a stew pan. Season to taste and add one cup of stale bread crumbs."

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, and that the United States recover from the owner of the property the costs of the proceeding.

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

WASHINGTON, D. C., May 26, 1914.

3209. Adulteration of tomato pulp. U. S. v. 200 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5386. S. No. 1982.)

On October 30, 1913, the United States Attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia a libel for the seizure and condemnation of 200 cases, each containing one-half dozen cans of tomato pulp, remaining unsold in the original unbroken packages upon the premises of P. K. Chaconas and Co., Washington, D. C., alleging that the product had been transported from the State of Maryland into the District of Columbia, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: (On cases) "Family Brand Tomato Pulp Packed by D. E. Foote & Co., Inc., Baltimore, Md. (Rubber stamp) P. K. Chaconas & Co., Washington, D C." (On cans) "Family brand Contents 90 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 part of a filthy and decomposed animal and vegetable substance.

On December 2, 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.

3210. Adulteration of chestnuts. U. S. v. 36 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5393. S. No. 1986.)

On October 30, 1913, the United States Attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia a libel for the seizure and condemnation of 36 bags of chestnuts, remaining unsold in the original unbroken packages and in possession of the Southern Railway Co. at Washington, D. C., alleging that the product had been shipped from the State of Virginia into the District of Columbia, and charging adulteration in violation of the Food and Drugs Act. Adulteration