

demnation of 140 bottles of an article, labeled in part "Mothers Brand Pure Vanilla and Vanillin. \* \* \* The National Food Mfg. Co. St. Louis, U. S. A. 2½ Ounces;" consigned by said company from East St. Louis, Ill., July 23, 1919, remaining unsold at Piqua, Ohio, alleging that the article had been transported from the State of Illinois into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that coumarin had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the article, and for the further reason that the article was artificially colored in a manner whereby inferiority was concealed.

Misbranding was alleged in substance for the reason that the following statements appearing on the label, "Pure Vanilla and Vanillin Guaranteed Fine Quality" and "Pure Flavor of Vanilla and Vanillin," not corrected by qualifying statements, were false and misleading and deceived and misled purchasers; for the further reason that said article was an imitation of, and sold and offered for sale under the distinctive name of, another article; and for the further reason that it was food in package form, and the quantity of contents was not plainly and conspicuously marked on the outside of the package.

On June 30, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S475. Misbranding of Hien Fong. U. S. \* \* \* v. 300 Dozen Bottles, More or Less, of Hien Fong. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12070. I. S. No. 8628-r. S. No. C-1679.)**

On January 12, 1920, the United States attorney for the District of Minnesota, 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 300 dozen bottles (37½ dozen \$1.15 size, 153½ dozen 60-cent size, and 108 dozen 30-cent size) of Hien Fong remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by the Knorr Medical Co., Detroit, Mich., on or about September 6, 1919, and transported from the State of Michigan into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (bottle) "Contains Not Over 55% Grain Alcohol," (wrapper) "Cholera Morbus, Indigestion and Sore Throat, and as a prophylactic in suspected cases of Croup and Diphtheria \* \* \* Summer Complaint, Neuralgia, Catarrh, Grippe \* \* \* Tonsillitis \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of water, ether, oil of mint, resinous plant extractives, and 43.4 per cent by volume of alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the statement on the label as to the alcoholic content of said article was false and misleading, and for the further reason that the label failed to bear a statement as to the quantity or proportion of alcohol contained therein. Misbranding was alleged in substance for the further reason that the above-quoted statements, regarding the curative and therapeutic effect of the article for the treatment of cholera morbus, indigestion, sore throat, as a prophylactic in suspected cases of croup and diphtheria, for summer complaint, neuralgia, catarrh, grippe, and tonsillitis, were false and fraudulent, as it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 15, 1920, the Knorr Medical Co., Detroit, Mich., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S476. Adulteration of tomato catsup. U. S. \* \* \* v. 195 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12123. I. S. Nos. 8694-r, 11289-r. S. No. C-1697.)**

On or about January 29, 1920, the United States attorney for the District of Nebraska, 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 195 cases of tomato catsup, at Lincoln, Nebr., alleging that the article had been shipped by Libby, McNeill & Libby, having a place of business at Manzanola, Colo., on or about October 18, 1918, and transported from the State of Colorado into the State of Nebraska, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Maple Brand Tomato Ketchup. Prepared expressly for hotel and restaurant trade."

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

On May 27, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S477. Adulteration of tomato catsup. U. S. \* \* \* v. 93 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12124. I. S. No. 12580-r. S. No. E-1944.)**

On January 30, 1920, the United States attorney for the District of Connecticut, 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 93 cases of tomato catsup, remaining unsold in the original unbroken packages at New London, Conn., alleging that the article had been shipped by Thomas Page, Albion, N. Y., on or about October 22, 1919, and transported from the State of New York into the State of Connecticut, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Royal Kitchen Brand Tomato Catsup Packed by Thomas Page, Albion, N. Y."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of filthy, putrid, and decomposed vegetable matter.

On April 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S478. Adulteration and misbranding of tomatoes. U. S. \* \* \* v. 1,098 Cases of Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12137. I. S. Nos. 2-r, 9-r. S. No. E-1959.)**

On February 5, 1920, the United States attorney for the Eastern District of New York, 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