

tion of 21 cases, more or less, of alleged pure cider vinegar, consigned on or about July 12, 1920, remaining in the original unbroken packages at Worcester, Mass., alleging that the article had been shipped by the Naas Cider & Vinegar Co., Cohocton, N. Y., and transported from the State of New York into the State of Massachusetts, 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 a substance, to wit, distilled vinegar, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted wholly or in part for cider vinegar, which the article purported to be. Adulteration was alleged for the further reason that distilled vinegar had been mixed with the said article in a manner whereby its damage and inferiority were concealed.

Misbranding was alleged for the reason that certain statements on the labels of the bottles containing the article, regarding the article and the ingredients contained therein, to wit, "Steuben Brand \* \* \* Cider Vinegar \* \* \* Made From Apples \* \* \* Net Contents One Pint," together with a pictorial representation of an apple, were false and misleading in that they represented to the purchaser that the article was pure cider vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said article was pure cider vinegar, made from apples, whereas, in truth and in fact, it was not pure cider vinegar but was a product containing distilled vinegar. Misbranding was alleged for the further reason that the article was a product composed in part of distilled vinegar, prepared in imitation of, and offered for sale under the distinctive name of, another article, to wit, cider vinegar, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct.

On July 12, 1921, 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.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9905. Adulteration of canned corn. U. S. \* \* \* v. 13 Cases \* \* \* of Canned Corn. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15010. I. S. No. 8743-t. S. No. E-3373.)**

On June 6, 1921, 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 aforesaid, holding a district court, a libel for the seizure and condemnation of 13 cases, more or less, of canned corn, remaining in the original unbroken packages at Washington, D. C., alleging that the article was being offered for sale in the District of Columbia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, (can) "Garden of Eden Sugar Corn \* \* \*."

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

On October 3, 1921, 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.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*