vinegar or dilute acetic acid, boiled cider, and sodium carbonate had been substituted in part for the article of food known as pure cider vinegar.

Misbranding was alleged in substance for the reason that the statements, to wit, "* * * Cider Vinegar. Steuben Brand Made From Apples * * * Reduced To 4% [Acetic Acid]," borne on the barrels and certain of the cases containing the said article, and the statements, to wit, "Boulevard Brand Pure Cider Vinegar Reduced to 4½% Acetic Strength [4½% Acetic Acid]," borne on the labels of the bottles contained in the remainder of the cases, were false and misleading in that they represented to the purchaser that the article consisted of pure cider vinegar, and for the further reason that the aforesaid statements deceived and misled the purchaser into the belief that the article was pure cider vinegar, whereas, in truth and in fact, it was not. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure cider vinegar.

On November 14, 1921, the Naas Cider & Vinegar Co., Inc., claimant, having admitted the material allegations of the libels and having consented to decrees, judgments of condemnation and forfeiture were 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 bonds in the aggregate sum of $2,000, in conformity with section 10 of the act, conditioned in part that the product be relabeled in part as follows, "Compound A mixture of Cider and Grain Vinegar," together with a statement of the net contents of each barrel, case, and bottle, "in lieu of the labels now appearing thereon."

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

**10034. Misbranding of barley feed. U. S. * * * v. W. P. Devereux Co., a Corporation. Plea of guilty. Fine, $25.** (F. & D. No. 14530. I. S. No. 24803–r.)

On October 3, 1921, 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 an information against the W. P. Devereux Co., a corporation, Minneapolis, Minn., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 24, 1919, from the State of Minnesota into the State of Kansas, of a quantity of unlabeled sacks of barley feed which was misbranded.

Misbranding of the article was alleged in the information for the 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.

On October 3, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $25.

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

**10035. Adulteration of canned pie peaches. U. S. * * * v. 322 Cases of Pie Peaches. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 14835. I. S. No. 13063–t. S. No. C–2903.)

On April 27, 1921, the United States attorney for the Western District of Tennessee, 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 322 cases of pie peaches, remaining in the original unbroken packages at Memphis, Tenn., alleging that the article had been shipped by the Booth Packing Co., Baltimore, Md., on or about January 31, 1921, and transported from the State of Maryland into the State of Tennessee, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Diamond Brand Pie Peaches * * * D. D. Mallory & Co. * * * Baltimore, Md. Distributors."

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

On September 22, 1921, the Booth Packing Co., Baltimore, Md., 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, conditioned in part that the product be repacked and properly sorted so as to exclude the objectionable portions thereof.

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