

ther reason that the articles were imitations of and offered for sale under the distinctive names of other articles.

On June 11, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture*

11506. Adulteration of shell eggs. U. S. v. 5 Cases of Shell Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15970. I. S. No. 6950-t. S. No. E-3755.)

On January 20, 1922, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 5 cases of shell eggs, remaining in the original unbroken packages at Newark, N. J., alleging that the article had been shipped by Joseph Silberman, New York, N. Y., in part on or about January 3 and in part on or about January 11, 1922, and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act.

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

On June 11, 1923, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11507 (supplement to N. J. 11314). Alleged misbranding of olive oil. U. S. v. 30 Half-Gallon Cans of Olive Oil. Decree entered vacating decree of condemnation and forfeiture. (F. & D. No. 16085. I. S. No. 13913-t. S. No. W-1066.)

On April 30, 1923, a decree of the court was entered vacating the decree of condemnation and forfeiture entered through inadvertance and error on January 26, 1923, in the above-cited proceeding, and the case is now pending upon intervention of the claimant.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11508. Adulteration and misbranding of fruit emulsions. U. S. v. 3 1-Gallon Cans Containing, Respectively, Cherry, Raspberry, and Strawberry Emulsions, So-Called. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16199. S. No. E-3899.)

On June 16, 1922, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 3 1-gallon cans containing, respectively, cherry, raspberry, and strawberry emulsions, alleging that the articles had been shipped by the Caro Flavoring Co., Washington, D. C., or about April 17, 1922, and transported from the District of Columbia into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part, respectively: "Caro Flavoring Co. H. & H. Brand One Gallon Cherry Emulsion We guarantee the flavor of this Emulsion consists of 95% true fruit concentration & 5% artificial flavoring and fruit acid. * * * Factory 1530 Seventh St., N. W., Washington, D. C. Shake Well. Artificially Colored;" "Caro Flavoring Co. H. & H. Brand One Gallon Raspberry" (or "Strawberry") "Emulsion * * * Part pure & part artificial coloring & fruit acid. * * * Artificially Colored."

Adulteration of the articles was alleged in substance in the libel for the reason that a substance, to wit, an imitation fruit emulsion consisting chiefly of citric acid, gum, and glycerin, strongly colored with coal-tar dyes and flavored with synthetic esters, having practically no suggestion of the flavor of the fruit named on the respective can labels, had been mixed and packed therewith so as to reduce and lower and injuriously affect their quality and strength and had been substituted wholly or in part for cherry, raspberry, and strawberry fruit emulsions, respectively, which the said articles purported to be. Adulteration was alleged for the further reason that the articles were mixed, colored, and stained with citric acid, gum, glycerin, coal-tar dyes, and synthetic esters in a manner whereby damage and inferiority were concealed.