

of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that it be properly labeled.

W. M. JARDINE, *Secretary of Agriculture.*

**12881. Adulteration and misbranding of cottonseed meal. U. S. v. 150 Bags of Cottonseed Meal. Decree entered ordering product released under bond to be relabeled. (F. & D. No. 18920. I. S. No. 12718-v. S. No. E-4925.)**

On August 20, 1924, the United States attorney for the District of Maryland, 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 150 bags of cottonseed meal, consigned on or about February 19, 1924, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Eastern Cotton Oil Co., from Edenton, N. C., and transported from the State of North Carolina into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Supreme Cotton Seed Meal \* \* \* Manufactured by Eastern Cotton Oil Company Edenton, N. C. Guarantee Protein not less than 36.00% Equivalent to Ammonia 7.00% \* \* \* Fibre not more than 14.00%."

Adulteration of the article was alleged in the libel for the reason that a substance low in protein (ammonia) and containing excessive fiber had been substituted wholly or in part for the said article and had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged in substance for the reason that the statements "Supreme Cotton Seed Meal \* \* \* Guarantee Protein not less than 36.00% Equivalent to Ammonia 7.00% \* \* \* Fiber not more than 14.00%" were false and misleading and deceived and misled the purchaser, in that the said statements represented that the article contained 36 per cent of protein, equivalent to 7 per cent of ammonia, and contained not more than 14 per cent of fiber, whereas it contained less than 36 per cent of protein, less than the equivalent of 7 per cent of ammonia, and contained more than 14 per cent of fiber.

On September 10, 1924, the Eastern Cotton Oil Co., Edenton, N. C., having appeared as claimant for the property and having admitted the material allegations of the libel, judgment of the court was entered, ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$800, in conformity with section 10 of the act, conditioned in part that it be properly labeled.

W. M. JARDINE, *Secretary of Agriculture.*

**12882. Adulteration and misbranding of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19184. I. S. No. 12872-v. S. No. E-5001.)**

On November 5, 1924, the United States attorney for the Southern 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 praying the seizure and condemnation of 11 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Madison [Fort Madison] Creamery Co., Fort Madison, Iowa, on or about October 11, 1924, and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance containing excessive moisture had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength and had been substituted in whole or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, butterfat, had been in whole or in part abstracted.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On November 19, 1924, the Fort Madison Creamery Co., Fort Madison, Iowa, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned

in part that it be reworked and reprocessed under the supervision of this department, to comply with the law.

W. M. JARDINE, *Secretary of Agriculture.*

**12883. Adulteration and misbranding of vanilla extract. U. S. v. 10 Gross Vanilla Extract. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 19060. I. S. No. 16856-v. S. No. E-4980.)

On October 15, 1924, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information against 10 gross vanilla extract, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Morrow & Co., from New York, N. Y., August 26, 1924, 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.

Adulteration of the article was alleged in the libel for the reason that a substance, an imitation vanilla extract, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article, and for the further reason that it had been colored in a manner whereby damage and inferiority was concealed.

Misbranding was alleged for the reason that the statements "Vanilla Extract Benefit Brand Highest Quality Pure Vanilla Extract Quality, Strength, Purity All Benefit Pure Food Products Are The Highest Standard Fine flavoring extracts," appearing on the bottle carton, and "Benefit Brand Highest Quality Pure Vanilla Extract," on the bottle label, were false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On November 18, 1924, 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.

W. M. JARDINE, *Secretary of Agriculture.*

**12884. Adulteration and misbranding of vinegar. U. S. v. John Scowcroft & Sons Co., a Corporation. Plea of guilty. Fine, \$50.** (F. & D. No. 18732. I. S. Nos. 11521-v, 11522-v, 11524-v.)

On October 15, 1924, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Scowcroft & Sons Co., a corporation, Ogden, Utah, alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about July 11, and August 10, 1923, respectively, from the State of Utah into the State of Idaho, of quantities of vinegar which was adulterated and misbranded. A portion of the article was labeled in part: (Bottle) "Kitchen King Brand Malt Vinegar \* \* \* Acidity 4% John Scowcroft & Sons Company Ogden, Utah, U. S. A." The remainder of the said article was labeled in part: (Bottle) "Blue Pine Brand \* \* \* Pure Malt Vinegar acidity 4½% John Scowcroft & Sons Company, Ogden, Utah, U. S. A."

Analysis of a sample of the Kitchen King brand vinegar by the Bureau of Chemistry of this department showed that it was distilled vinegar of low acidity colored with caramel. Analysis by said bureau of a sample of the Blue Pine brand vinegar, consigned July 11, showed that it was distilled vinegar colored with caramel. Analysis by said bureau of a sample of the Blue Pine brand vinegar, consigned August 10, showed that it was distilled vinegar of low acidity.

Adulteration of the article was alleged in the information for the reason that a product, to wit, distilled vinegar, a portion of which had an acidity less than declared on the label, had been substituted for malt vinegar, which the said article purported to be. Adulteration was alleged with respect to a portion of the article for the reason that it had been colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statements "Malt Vinegar" and "Acidity 4%," with respect to the Kitchen King brand vinegar, the statement "Pure Malt Vinegar," with respect to the Blue Pine brand vinegar consigned July 11, and the statements "Pure Malt Vinegar" and "Acidity 4½%," with respect to the Blue Pine brand vinegar consigned August 10, were