

ing that the article had been shipped by C. C. Hall (Inc.), from Brighton, N. Y., on or about November 22, 1924, and transported from the State of New York into the State of Kentucky, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Monogram Brand Evaporated Apples Packed By C. C. Hall, Inc Rochester, N. Y. Sulphured."

Adulteration of the article was alleged in the libel for the reason that excessive moisture 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.

Misbranding was alleged for the reason that the statement in the labeling "Evaporated Apples" was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article, viz, evaporated apples.

On May 23, 1925, C. C. Hall (Inc.), Rochester, N. Y., having appeared as claimant for the property, 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 \$100, in conformity with section 10 of the act, conditioned in part that it not be sold or disposed of until dried down to the proper moisture content.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13362. Adulteration and misbranding of baking powder. U. S. v. 59 Cases of Baking Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19950. I. S. No. 20880-v. S. No. W-1689.)

On March 31, 1925, the United States attorney for the District of Colorado, 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 59 cases of baking powder, remaining in the original unbroken packages at Denver, Colo., consigned by the Omaha Jobbing Co., Omaha, Nebr., alleging that the article had been shipped from Omaha, Nebr., on or about January 3, 1925, and transported from the State of Nebraska into the State of Colorado, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled, variously, in part: "Snow Flake Baking Powder"; "Chapman's * * * Baking Powder"; "Quaker Baking Powder"; "Mascot Brand Baking Powder"; "Crown Baking Powder"; "Grape Crystal Baking Powder"; "Bon Bon Grant's Baking Powder"; "Jack Frost Baking Powder"; "Victor Baking Powder"; "Shepard's Baking Powder"; and "Kansas City Baking Powder."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in available carbon dioxide had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Baking Powder" was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On May 2, 1925, 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. F. MARVIN, *Acting Secretary of Agriculture.*

13363. Adulteration and misbranding of vinegar. U. S. v. 17 Barrels of Vinegar. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 17052. I. S. No. 10659-v. S. No. C-2946.)

On January 24, 1923, the United States attorney for the Western District of Michigan, 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 17 barrels of vinegar, remaining in the original unbroken packages at Hancock, Mich., alleging that the article had been shipped by the National Vinegar Co., from Buffalo, N. Y., on or about June 2, 1922, and transported from the State of New York into the State of Michigan, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Pure Cider Vinegar Made From Apples * * * Distributed By National Vinegar Company Buffalo, N. Y."

Adulteration of the article was alleged in the libel for the reason that vinegar made from evaporated or dried apple product had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality