

mislead the purchaser into the belief that it was pure vanillin, whereas it was not pure vanillin but was a product composed in part of acetanilid. Misbranding was alleged for the further reason that the article was a product composed in part of acetanilid, prepared in imitation of and offered for sale and sold under the distinctive name of another article, to wit, vanillin.

On June 15, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13446. Adulteration and misbranding of gray shorts. U. S. v. 215 Sacks of Gray Shorts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19912. I. S. No. 21443-v. S. No. C-4684.)

On March 19, 1925, the United States attorney for the Northern District of Mississippi, 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 215 sacks of gray shorts, remaining in the original unbroken packages at Columbus, Miss., alleging that the article had been shipped by Hogan Bros., from Kansas City, Mo., February 3, 1925, and transported from the State of Missouri into the State of Mississippi, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Wheat Gray Shorts With Ground Wheat Screenings Not To Exceed Millrun. Hogan Bros., Kansas City, Mo."

Adulteration of the article was alleged in the libel for the reason that brown shorts had been mixed and packed therewith so as to lower and injuriously affect its quality or strength and had been substituted wholly or in part for the said gray shorts.

Misbranding was alleged for the reason that the designation "Gray Shorts" 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 gray shorts when the said 215 sacks contained brown shorts.

On April 7, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13447. Adulteration of canned cherries. U. S. v. 74½ Cases, et al., of Cherries. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 19945, 19951, 19998. I. S. Nos. 15625-v, 15636-v, 15651-v. S. Nos. E-5259, E-5262, E-5291.)

On March 28 and April 3 and 14, 1925, respectively, the United States attorney for the Western District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 207 cases of cherries, in part at McKeesport, Pa., and in part at Washington, Pa., alleging that the article had been shipped by S. E. Comstock & Co., in part from Fairport, N. Y., and in part from Wayneport, N. Y., in various consignments, namely, on or about the respective dates of September 1 and 16 and November 5, 1924, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part, variously: "Sweet Violet Brand Red Sour Pitted Cherries"; "Red Ring Brand Red Sour Pitted Cherries"; and "Orchard Farm Brand Red Sour Pitted Cherries."

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

On May 21, 1925, the Egypt Canning Co., Egypt, N. Y., claimant, having admitted the allegations of the libels and having consented to the condemnation and forfeiture of the product, decrees of the court were entered, ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$900, in conformity with section 10 of the act, conditioned in part that it be reprocessed and reconditioned under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13448. Adulteration and misbranding of evaporated apples. U. S. v. 16 Cases, et al., of Evaporated Apples. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 19976, 19984. I. S. Nos. 15640-v, 15641-v. S. Nos. E-5273, E-5284.)

On April 11 and 23, 1925, respectively, the United States attorney for the Western District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 26 cases of evaporated apples, at Pittsburgh, Pa., alleging that the article had been shipped by W. T. Gaylord, jr., from Sodus, N. Y., in two consignments, namely, on or about December 2 and 16, 1924, respectively, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "50 Lbs. Choice Evaporated Snow Flake Apples W. T. Gaylord, Jr., Sodus, Wayne Co., N. Y."

Adulteration of the article was alleged in the libels for the reason that a substance, excessive moisture, had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements "Choice Evaporated Apples" and "Evaporated Apples," as the case might be, borne on the labels, were false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On May 15, 1925, W. T. Gaylord, jr., Sodus, N. Y., claimant, having admitted the allegations of the libels and having consented to the condemnation and forfeiture of the property, judgments of the court were entered, ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$400, in conformity with section 10 of the act, conditioned in part that it be reprocessed and reconditioned under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13449. Adulteration of canned cherries. U. S. v. 57 Cases of Cherries. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19987. I. S. No. 15573-v. S. No. E-5280.)

On April 11, 1925, the United States attorney for the Western District of Pennsylvania, 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 57 cases of cherries, at Erie, Pa., alleging that the article had been shipped by the Egypt Canning Co. (Inc.), from Fairport, N. Y., on or about November 11, 1924, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Pride Of Egypt Brand Red Sour Pitted Cherries * * * Guaranteed And Distributed By Egypt Canning Co., Inc. Egypt, N. Y."

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 vegetable substance, in that it contained excessive larvae.

On May 21, 1925, the Egypt Canning Co. (Inc.), Egypt, N. Y., claimant, having admitted the allegations of the libel and having consented to the condemnation and forfeiture of the product, judgment of the court was entered, ordering that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act, conditioned in part that it be reprocessed and reconditioned under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13450. Adulteration of oranges. U. S. v. 400 Cases of Oranges. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19820. I. S. Nos. 23827-v, 22146-v. S. No. C-4636.)

On February 19, 1925, the United States attorney for the Eastern 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 400 cases of oranges, at Detroit, Mich., alleging that the article had been shipped by the Peppers Fruit Co., from Colton, Calif., January 23, 1925, and transported from the State of California into