

Scraps * * * Guaranteed Analysis Protein Min. 55% * * * Manufactured by Norfolk Tallow Co. Norfolk, Va., and (bag) "Notalco High AA Grade Meat Scraps * * * Guaranteed Analysis Protein Min. 45% * * * Manufactured by Norfolk Tallow Co., Norfolk, Va."

Analysis by the Bureau of Chemistry of this department of a sample of the beef scraps showed that it contained 52.5 per cent protein and 2.39 per cent crude fiber; analysis of a sample of the Extra Quality meat scraps and of the High AA Grade meat scraps showed that they contained 57.88 per cent and 41.55 per cent, respectively, of protein.

Adulteration of the articles was alleged in the information for the reason that a product containing less protein than declared on the labels, and also containing, in respect to the so-called ground beef scraps, more fiber than declared, had been mixed and packed with the said articles so as to reduce and lower and injuriously affect their quality and strength and had been substituted for the said articles.

Misbranding was alleged for the reason that the statements, to wit, "Guaranteed Analysis Protein 55 to 65% Fiber 1 to 2%," "100 Lbs. Net * * * Extra Quality Meat Scraps * * * Guaranteed Analysis Protein Min. 55%," and "High AA Grade Meat Scraps * * * Guaranteed Analysis Protein Min. 45%," borne on the respective labels of the articles, were false and misleading, in that the said statements represented that the articles contained not less than 55 per cent of protein, or not less than 45 per cent of protein, as the case might be, that the so-called ground beef scraps contained not more than 2 per cent of fiber, and that the bags containing the meat scraps shipped May 15, 1924, into South Carolina, contained 100 pounds thereof, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they were as above represented, whereas the articles contained less protein than declared on the respective labels, the said ground beef scraps contained more than 2 per cent of fiber, and the bags containing the said shipment into South Carolina contained less than 100 pounds of meat scraps. Misbranding was alleged with respect to the said shipment into South Carolina for the further 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, in that the actual contents of the bag was less than represented.

On November 2, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

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

14449. Adulteration and misbranding of canned tomatoes. U. S. v. 450 Cases and 385 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19457. I. S. Nos. 13447-v, 13448-v. S. No. E-5090.)

On or about January 5, 1925, the United States attorney for the Middle 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 seizure and condemnation of 835 cases of canned tomatoes, remaining in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by the Davis Canning Co., from Laurel, Del., on or about October 6, 1924, and transported from the State of Delaware into the State of Pennsylvania, 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, added water, 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 for the reason that the label bore the statement "Tomatoes," which was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On March 9, 1925, the Davis Canning Co., Laurel, Del., 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 \$1,600, conditioned in part that it be relabeled: "Water 50% Tomatoes 50% * * * These Tomatoes Were Canned With An Additional Equal Amount Of Water Packed By Davis Canning Co. Laurel, Del. Canned Tomatoes Should Be Packed In Their Own Juice Without Added Water."

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

14450. Adulteration and misbranding of vanilla extract. U. S. v. 57½ Gallons of Vanilla Extract. Product ordered released under bond to be relabeled. (F. & D. No. 20348. I. S. No. 6808-x. S. No. E-5460.)

On August 19, 1925, the United States attorney for the Middle 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 seizure and condemnation of 57½ gallons of vanilla extract at Wilkes-Barre, Pa., alleging that the article had been shipped by Theall, Steffan & Co., from New York, N. Y., on or about June 6, 1925, 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: "One Gallon Vanilla Ext. A. A. X. Theall & Pile, Inc. Essential Oils Extract * * * New York."

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. Adulteration was alleged for the further reason that the article was colored in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the statement on the label "Vanilla Ext. A. A. X." was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On September 28, 1925, the Hannagan Supply Co., Wilkes-Barre, Pa., having appeared as claimant for the property, a decree was entered, ordering that the claimant be permitted to affix to the goods a label reading in part: "Imitation Vanilla Extract Contains Vanillin, Coumarin, Vanilla and Caramel," upon the entry of a bond in the sum of \$500, and that upon compliance with the terms of the decree and payment of the costs of the proceedings the motion and warrant of arrest be vacated and set aside.

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