

**15783. Adulteration and misbranding of vanilla extract. U. S. v. 34 Dozen Bottles of Vanilla Extract. Default decree of condemnation, forfeiture, and sale or destruction. (F. & D. No. 22039. I. S. No. 14990-x. S. No. 81.)**

On September 2, 1927, the United States attorney for the District of Connecticut, 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 34 dozen bottles of vanilla extract, remaining in the original unbroken packages at Waterbury, Conn., alleging that the article had been shipped by the Diamond Seal Products, Inc., New York, N. Y., on or about February 23, 1927, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "Siegmann's 6 Dr. Absolutely Pure Extract Vanilla \* \* \* Prepared by Siegmann Bros."

It was alleged in the libel that the article was adulterated in that dilute alcohol had been substituted in part for the said article and had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the statements upon the bottle label, "Absolutely Pure Extract Vanilla Guaranteed Absolutely Pure \* \* \* Purity Strength Quality," and upon the carton label, "Absolutely Pure Extract Vanilla Guaranteed Absolutely Pure \* \* \* Purity Strength Quality \* \* \* The Purest is always the Best. The Purest in All Flavors," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On October 10, 1927, 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 sold by the United States marshal if such sale could be speedily effected, otherwise that it be destroyed.

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

**15784. Adulteration and misbranding of butter. U. S. v. 13 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22878. I. S. No. 20213-x. S. No. 922.)**

On June 26, 1928, the United States attorney for the Eastern 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 13 boxes of butter, remaining in the original unbroken boxes at Philadelphia, Pa., consigned by the Washington County Creamery Co., Abingdon, Va., alleging that the article had been shipped from Abingdon, Va., on or about June 23, 1928, and transported from the State of Virginia into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated in that a substance containing less than 80 per cent of butterfat 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, and for the further reason that a valuable constituent of the article, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the label or package bore a statement regarding the article or the ingredients or substances contained therein, which was false and misleading and deceived and misled the purchaser as follows: "Dixie Brand Highest Quality Fancy Creamery Butter, One Lb. Net Weight." Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, and for the further reason that it was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct and was not in correct form.

On June 29, 1928, Meridale Dairies, Inc., Philadelphia, Pa., 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 said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to law, and be reconditioned under the supervision of this department.

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