

15886. Adulteration and misbranding of vinegar. U. S. v. 12 Cases of Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22606. I. S. No. 19942-x. S. No. 629.)

On March 8, 1928, the United States attorney for the Eastern District of Illinois, 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 12 cases of vinegar at Cairo, Ill., alleging that the article had been shipped by the Keek Co., from St. Louis, Mo., on or about September 16, 1927, and had been transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Pure Apple Cider Vinegar 40 Grain Contents 1 Pt. Mellowed with Age in Wood Manufactured by Keek Co. Inc. St. Louis, Mo."

It was alleged in the libel that the article was adulterated in that an imitation product other than pure apple cider vinegar had been mixed and packed with and substituted in part for the said article, and in that it had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged in that the labels above quoted bore statements which were false and misleading and deceived and misled the purchasers, and in that the article was an imitation of and offered for sale under the distinctive name of another article.

On May 3, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15887. Adulteration and misbranding of preserves. U. S. v. 4½ Cases of Strawberry Preserves, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22066. I. S. Nos. 19326-x to 19331-x, incl. S. No. 103.)

On September 26, 1927, the United States attorney for the Eastern District of Illinois, 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 13½ cases and 15 jars of assorted preserves at Dupu, Ill., alleging that the articles had been shipped by the Louis Maull Co., from St. Louis, Mo., on or about August 2, 1927, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part: "Maull's Strawberry (or "Cherry" or "Raspberry" or "Peach" or "Blackberry" or "Plum") Preserve * * * Packed by L. Maull Co. St. Louis, Mo. Food Products, Maull's Quality Food Products."

It was alleged in the libel that the strawberry, cherry, and raspberry preserves were adulterated in that excessive sugar, added pectin, and added acid had been mixed and packed with the said articles so as to reduce and lower and injuriously affect their quality and strength, in that a mixture of fruit and sugar containing less than 45 parts of fruit to each 55 parts of sugar and containing added pectin and artificial color had been substituted wholly or in part for the said articles, and in that they were colored in a manner whereby damage and inferiority were concealed.

Adulteration was alleged with respect to the blackberry and plum preserves for the reason that added acid had been mixed and packed with the articles so as to reduce and lower and injuriously affect their quality and strength, in that preserves containing added acid and artificial color had been substituted wholly or in part for pure preserves, and in that the articles were colored in a manner whereby damage and inferiority were concealed.

Adulteration of the peach preserves was alleged for the reason that added acid had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for pure preserves which the said article purported to be.

Misbranding was alleged for the reason that the labeling was false and misleading and deceived and misled purchasers.

On March 6, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*