

Adulteration of the product was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been substituted in part for the article, to wit, olive oil. Misbranding was alleged for the reason that the label and package of the article bore a statement, "Pure Olive Oil," which said statement was false and misleading in that the article was not pure olive oil, but a mixture of olive oil and cottonseed oil; and further, in that the label and package bore a statement, "Product of Italy," which said statement was false and misleading in that it represented that the article was an olive oil imported from Italy, whereas in fact the article was a mixture of olive oil and cottonseed oil manufactured in the United States; and was further misbranded in that it was labeled and branded so as to mislead and deceive the purchaser into the belief that the article was pure olive oil imported from Italy, whereas in fact it was a mixture of olive oil and cottonseed oil produced and manufactured in the United States; and was further misbranded in that it was falsely branded as to the country in which it was manufactured and produced, that is to say, the said article on the label, container, and package thereof purported to be a foreign product of the Kingdom of Italy, whereas in fact the article was a product manufactured in the United States of America.

On November 18, 1912, the defendant entered a plea of guilty to the information and the court imposed a fine of \$25.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

2891. Adulteration and misbranding of vanilla flavor. U. S. v. H. T. Hackney Co. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 4348. I. S. No. 7927-d.)

On October 10, 1912, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the H. T. Hackney Co., a corporation, Knoxville, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on December 15, 1911, from the State of Tennessee into the State of North Carolina, of a quantity of so-called vanilla flavor which was adulterated and misbranded. The product was labeled: "Lowe's Red Diamond Vanilla Flavor Colored. Containing not less than 3% soluble matter vanilla bean. For flavoring pastry, &c. Knoxville Drug Co., Knoxville, Tenn."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Specific gravity, at 20°/4° C.....	0. 9841
Ethyl alcohol (per cent by volume).....	37. 3
Methyl alcohol (per cent by volume).....	None.
Solids (per cent by weight).....	8. 66
Sucrose (per cent by weight).....	2. 47
Reducing sugars (per cent by weight).....	5. 32
Ash (per cent by weight).....	0. 24
Vanillin (per cent by weight).....	0. 06
Coumarin (per cent by weight).....	None
Normal lead number.....	0. 36
Vanilla resin reactions, satisfactory.	
Volume in container (average of six bottles measured) (cc).....	30.6
Coloring matter, natural, reinforced with caramel.	

Adulteration of the product was alleged in the information for the reason that it was labeled in large type "Vanilla Flavor," and was invoiced and sold as vanilla flavor, and a substance, to wit, a dilute flavor of vanilla, artificially colored with caramel, had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength; and further in that a substance, to wit, a dilute flavor of vanilla, artificially colored with caramel, had been substituted wholly or in part for the article

(vanilla flavor); and further in that the product was colored in a manner whereby its inferiority or lack of strength was concealed. Misbranding was alleged for the reason that the statement "Vanilla Flavor" borne in large type on the label of the package in which it was offered for sale was false and misleading, because it misled and deceived the purchaser into the belief that said product was a standard strength vanilla flavor of vanilla extract, whereas, in truth and in fact, it was not standard strength vanilla flavor or vanilla extract, but consisted in whole or in part of a dilute flavor of vanilla artificially colored with caramel to simulate the appearance of genuine full strength vanilla extract; furthermore, that said product was so labeled or branded as to mislead and deceive the purchaser, being labeled and branded in large type "Vanilla Flavor," and in much smaller type "containing not less than 3 per cent soluble matter vanilla bean," which form of labeling misled and deceived the purchaser into the belief that the product was a genuine full strength vanilla extract, but was a product consisting in whole or in part of a dilute vanilla flavor or extract artificially colored with caramel, and the statement in small type "containing not less than 3 per cent soluble matter vanilla bean" was so inconspicuous as to fail to correct the misleading impression conveyed by the statement "Vanilla Flavor" in larger type.

On July 17, 1913, the defendant company having entered a formal plea of guilty to the information, the court imposed a nominal fine of \$10 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

2892. Adulteration of desiccated eggs. U. S. v. Seven Drums Desiccated Eggs. Consent decree of condemnation and forfeiture. Goods ordered released on bond. (F. & D. No. 4351. S. No. 1472.)

On July 26, 1912, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of seven drums of desiccated eggs remaining unsold in the original unbroken packages in possession of Wood & Selick, 36 Hudson Street, New York, N. Y., alleging that the product had been shipped on or about July 20, 1912, from the State of Illinois into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The product bore no label.

Adulteration of the product was alleged in the libel for the reason that it consisted in whole and in part of a filthy, decomposed, and putrid animal substance.

On November 14, 1913, the Purity Food & Storage Co., claimant, Chicago, Ill., having withdrawn by consent of the court its answer, exceptions, and interrogatories to the libel, and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be redelivered to said claimant upon payment of the cost of proceedings and the execution of bond in the sum of \$250, conditioned that the product should be denatured and rendered unfit for food and marked in such a manner as plainly to indicate that it was not fit for food and fit for technical purposes only, all in conformity with section 10 of the act. It was further ordered that in default of payment of the costs and the execution of bond by claimant, the goods should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

2893. Misbranding of Rosolio di China. U. S. v. Basilea & Calandra Co. Plea of guilty. Fine, \$10. (F. & D. No. 4357. I. S. No. 10079-d.)

On February 5, 1913, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Basilea & Calandra Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on September 7, 1912, from the State of New York into the