

labeled in part: "Oil Wintergreen Leaf F. P. Dowe, Spring Glen, Ulster Co., N. Y." The tags on the containers were labeled in part: "From Frank P. Dowe, Distiller of Pure Oil Wintergreen from the Leaf Extract of Witch Hazel, Spring Glen, Ulster Co., N. Y."

Misbranding of the product was alleged in the libel for the reason that the package and label which contained said drug bore statements, designs, and devices regarding said drug, that is to say, the words "Oil Wintergreen Leaf" and "From Frank P. Dowe, Distiller of Pure Oil Wintergreen From the Leaf Extract of Witch Hazel," which said statements, designs, and devices were false and misleading, in that said words would lead the purchaser to believe that said drug consisted wholly of oil of wintergreen, whereas, in truth and in fact, said drug contained less than 25 per cent of said oil of wintergreen. Misbranding was alleged for the further reason that the product was an imitation of and offered for sale under the name of "Oil of Wintergreen," whereas, in truth and in fact, it was not oil of wintergreen.

On February 18, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., August 8, 1914.

3324. Adulteration of tomato catsup. U. S. v. 5 Barrels of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5562. I. S. No. 1364-h. S. No. 2098.)

On January 29, 1914, the United States attorney for the District of Massachusetts, 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 5 barrels of tomato catsup, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the product had been shipped by the Crine Packing and Seed Co., Morganville, N. J., and transported from the State of New Jersey into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The product was labeled in part: " $\frac{1}{5}$ of one per cent benzoate of soda. Bonny Best Tomato Catsup. Packed by the R. N. Crine Seed Co., Morganville, N. J."

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

On February 18, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., August 8, 1914.

3325. Adulteration of milk. U. S. v. Robert N. Rust. Plea of guilty. Fine, \$10. (F. & D. No. 221-c.)

On February 27, 1914, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, authorized by the Secretary of Agriculture, filed in the police court of the District aforesaid an information against Robert N. Rust, Alexandria, Va., alleging shipment by said defendant, in violation of the Food and Drugs Act, on February 12 and 13, 1914, from the State of Virginia into the District of Columbia, of quantities of milk which was adulterated.

Adulteration of the product was alleged in the information for the reason that a substance, to wit, water, had been packed and mixed with it, which reduced and lowered its quality and strength.