

State of Ohio into the State of Maryland, charging adulteration in violation of the Food and Drugs Act. The product was labeled: "R. S. Jackson & Co., Baltimore, Md.—From Wise & Son, Eggs, Poultry, Game, Furs, Pelts & Roots, Coolville, Ohio."

It was alleged in the libel that the product was adulterated because it consisted of a filthy, putrid, and [or] decomposed vegetable substance, to wit, to be covered by insect excreta.

On March 12, 1914, Wise & Son, claimants, Coolville, Ohio, having consented thereto, judgment of condemnation and forfeiture was entered as to 43 bags of the product and the same were ordered destroyed by the United States marshal. Upon motion of the United States attorney it was further ordered, adjudged, and decreed that 44 bags of the product, which upon examination and analysis were shown to be fit for use and not adulterated within the meaning of the Food and Drugs Act, should be released and delivered to the said claimants.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

**3380. Adulteration and misbranding of apple brandy type. U. S. v. The F. P. Gluck Co. Plea of guilty. Fine, \$15 and costs. (F. & D. No. 5552. I. S. No. 19190-d.)**

On March 24, 1914, the United States attorney for the Southern District of Ohio, 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 F. P. Gluck Co., a corporation, Cincinnati, Ohio, alleging shipment by said company in violation of the Food and Drugs Act, on or about June 15, 1911, from the State of Ohio into the State of Montana, of a quantity of apple brandy type which was adulterated and misbranded. The product was labeled (On one end) "Apple Brandy Type." (On other end) "Brandy Type The F. P. Gluck Co., Wholesale Liquor Dealers 101 & 103 E. Pearl St., Cincinnati, O. This article is guaranteed under the National Pure Food Law not to be adulterated or misbranded. The Gluck Co., Cincinnati, O. The F. P. Gluck Co., Wholesale Liquor Dealers and Rectifiers 101 & 103 E. Pearl St., Cincinnati, O." "Stamp No. T 22537." (Shipping tag) "Judith Basin Commercial Co., Lewistown, Mont. From The F. P. Gluck Co., Cincinnati, Ohio."

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

Proof -----	86.0
Scldis (parts per 100,000, 100° proof)-----	39.0
Acids, total, as acetic (parts per 100,000, 100° proof)-----	50.0
Esters, as acetic (parts per 100,000, 100° proof)-----	36.7
Aldehydes, as acetic (parts per 100,000, 100° proof)-----	4.2
Furfural (parts per 100,000, 100° proof)-----	0.4
Fusel oil (A-M by regular method) (parts per 100,000, 100° proof)-----	12.9
Color insoluble in water (per cent)-----	22.0
Color insoluble in amyl alcohol (per cent)-----	12.0
Color, Marsh test: Natural color present.	

The product consists largely of neutral spirits.

Adulteration of the product was alleged in the information for the reason that a substance, to wit, a mixture of apple brandy and neutral spirits, had been substituted wholly or in part for a type of apple brandy which the article purported to be. Misbranding was alleged for the reason that the article of food bore as a part of the label thereof the following statement, to wit, "Apple

Brandy Type," which said statement was false and misleading, in that it purported and represented to purchasers that said article was a type of apple brandy, whereas, in truth and in fact, it was not a type of apple brandy, but was a mixture of apple brandy and neutral spirits. Misbranding was alleged for the further reason that the article of food was labeled and branded so as to mislead and deceive the purchaser, being labeled and branded "Apple Brandy Type," thereby purporting and representing that said article was a type of apple brandy, whereas, in truth and in fact, it was not a type of apple brandy, but was a mixture of apple brandy and neutral spirits.

On March 30, 1914, the defendant company entered its plea of guilty to the information and the court imposed a fine of \$15, with costs of \$15.60.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

**3381. Adulteration of pork and beans with tomato sauce. U. S. v. 500 Cases of Pork and Beans with Tomato Sauce. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5558. I. S. No. 5177-h. S. No. 2108.)**

On February 4, 1914, the United States attorney for the Western District of Missouri, 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 500 cases, each containing 24 cans of pork and beans with tomato sauce, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the product had been shipped on or about December 8, 1913, and transported from the State of Michigan into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "2 doz. No. 2 1/2 cans. Park Brand Pork & Beans Tomato Sauce. Packed by Thomas Canning Co., Grand Rapids, Mich.;" the cans were labeled: "Park Brand Pork and Beans with Tomato Sauce. Thomas Canning Co., Grand Rapids, Mich. Thomas Canning Co., Grand Rapids, Mich. Packers of Quality. Guaranteed by Thomas Canning Co. under the Food and Drugs Act, June 30, 1906. Serial No. 5076. Thomas Canning Co. Packers of Quality. Grand Rapids, Mich. Contents 2 Lbs. Park Brand Pork and Beans with Tomato Sauce. Thomas Canning Co. Grand Rapids, Mich."

Adulteration of the product was alleged in the libel for the reason that each of the cans was filled with a vegetable substance which consisted in whole or in part of a filthy, decomposed, and [or] putrid vegetable substance, containing partly moldy beans, badly moldy and musty beans, and mold in said tomato sauce, and which were mixed and colored in a manner whereby damage and inferiority were concealed.

On March 28, 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.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

**3382. Adulteration and misbranding of vanilla flavor. U. S. v. 1 Keg of So-called Vanilla Flavor. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 5560. I. S. No. 3364-h. S. No. 2095.)**

On January 29, 1914, the United States attorney for the District of New Jersey, 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 1 keg containing 5 gallons of alleged vanilla flavor remaining unsold in the original unbroken package at the borough of Rutherford, N. J.,