

the maple tree, and was offered for sale and sold under the distinctive name of maple flavor, and for the further reason that said article was labeled and branded so as to deceive and mislead the purchaser into the belief that it was a genuine maple flavor prepared from a product of the maple tree, when, as a matter of fact, said article was not a genuine maple flavor, but was an imitation of maple flavor.

On May 1, 1914, the defendant entered a plea of guilty to the information and the court imposed a fine of \$50.

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

WASHINGTON, D. C., *September 28, 1914.*

3461. Adulteration and misbranding of bran. U. S. v. 200 Sacks of Bran. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 5574. I. S. No. 2388-h. S. No. 2105.)

On or about February 14, 1914, the United States attorney for the Northern District of West Virginia, 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 200 sacks of bran, remaining unsold in the original unbroken packages at Parkersburg, W. Va., alleging that the product had been shipped in January, 1914, by the Northwestern Elevator & Mill Co., Mount Vernon, Ohio, and transported in interstate commerce from the State of Ohio into the State of West Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. Some of the bags were labeled: "The Northwestern Elevator & Mill Co., Mt. Vernon, O. Taylor's Bran—100 lbs. Guaranteed analysis not less than Protein 14.00 to 15.00%, Crude Fat 4.00 to 5.00%, Crude Fibre 5.00 to 6.00%." The remainder of the bags were labeled: "Northwestern Elevator & Mill Co., Mt. Vernon, Ohio Taylor's Bran 100 lbs. net.—Guaranteed analysis not less than Protein 13.00 to 15.00%, Crude Fat 4.00 to 5.00%, Crude Fibre 5.00 to 6.00%."

It was alleged in the libel that the product was adulterated and misbranded in violation of the act of Congress of June 30, 1906, in that an analysis of the product showed that it contained 5.31 per cent foreign matter which consisted chiefly of added screenings and which had been mixed and packed with the bran in such manner as to reduce and lower or injuriously affect its quality or strength, and that said product was misbranded, in that it was labeled "Bran," when, in truth and in fact, the said product contained added screenings.

On April 7, 1914, the said Northwestern Elevator & Mill Co., claimant, having admitted the allegations in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$500, in conformity with section 10 of the act, one of the conditions of which was that the bran should be relabeled and marked in accordance with the act of Congress and the regulations thereunder and should not be disposed of in violation of any Federal or State statute.

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

WASHINGTON, D. C., *September 28, 1914.*

3462. Adulteration and misbranding of vinegar. U. S. v. P. H. Sugrue (P. H. Sugrue & Sons). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 5592. I. S. No. 2672-e.)

On March 19, 1914, the United States attorney for the Northern 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 P. H. Sugrue, doing business under the name of P. H. Sugrue & Sons, Cleveland, Ohio, alleging the sale by said defendant, on or about October 23, 1912, under a guarantee that, among other things, the product complied with the Food and Drugs Act, of a quantity of so-called pure cider vinegar, which was adulterated and misbranded in violation of said act, and which said product on or about December 10, 1912, was shipped by the purchaser