10660. Adulteration and misbranding of cumin seed. U. S. * * * v. 5 Bags and 1 Drum of Cumin Seed. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13970, 13971. I. S. Nos. 4233–t, 4235–t. S. Nos. C–2587, C–2589.)

On or about November 30, 1920, 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 libels for the seizure and condemnation of 5 bags and 1 drum of cumin seed, remaining unsold at Cincinnati, Ohio, consigned August 25 and October 29, 1920, respectively, alleging that the article had been transported from the States of New York and Indiana, respectively, into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "* * * The Heekin Co., Cincinnati, Ohio * * *"

Adulteration of the article was alleged in substance in the libels for the reason that sand had been mixed and packed with, and substituted wholly or in part for, the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, to wit, cumin seed.

On June 2, 1921, no claimant having appeared for the property, decrees pro confesso were entered, and during October, 1921, final decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10661. Adulteration and misbranding of vinegar. U. S. * * * v. 566 Cases of Alleged Cider Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14114. I. S. Nos. 6469–t, 6470–t. S. No. E–3011.)

On January 7, 1921, 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 566 cases of alleged cider vinegar at Elizabeth, N. J., alleging that the article had been shipped by the Naas Cider & Vinegar Co., Cohocton, N. Y., on or about August 19, 1920, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Steuben Brand * * * Reduced Cider Vinegar * * * Net Contents 20 Fl. Oz." (or "Net Contents One Pint") "Naas Cider & Vinegar Co., Inc. Cohocton, N. Y."

Adulteration of the article was alleged in the libel for the reason that distilled vinegar had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for cider vinegar, and for the further reason that it had been mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the label on the bottles containing the article bore the statements, regarding the said article or the ingredients contained therein, to wit, "Steuben Brand * * * Reduced Cider Vinegar Reduced to 4% Acetic Acid Fermented Made from Apples," together with a pictorial representation of a red apple, which were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and offered for sale under the distinctive name of, another article, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 14, 1921, the Naas Cider & Vinegar Co., Cohocton, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant, upon payment of the costs of the proceedings and the execution of a bond in the sum of $1,000, in conformity with section 10 of the act, conditioned in part that it be rebranded and properly marked.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10662. Adulteration of frozen eggs. U. S. * * * v. 1911 Cans * * * of Frozen Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14288. I. S. No. 6519–t. S. No. E–3121.)

On February 9, 1921, 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 1911 cans of frozen eggs, remaining in the original unbroken packages