**9914. Adulteration and misbranding of prepared mustard. U. S. * * * v. 12 Cases * * * of Prepared Mustard. Decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14857. I. S. No. 3382-t. S. No. C-3053.)

On May 10, 1921, the United States attorney for the District of Nebraska, 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 12 cases, more or less, of prepared mustard, remaining in the original unbroken packages at Omaha, Nebr., alleging that the article had been shipped by the Bayle Food Products Co., St. Louis, Mo., on or about September 29, 1920, and transported from the State of Missouri into the State of Nebraska, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Tumblers) "Ak-Sar-Ben Brand Old English Style Prepared Mustard * * * Springer Products Co. Omaha."

Adulteration of the article was alleged in the libel for the reason that mustard hulls had been mixed and packed with, and substituted wholly or in part for, the said article, and for the further reason that it was mixed and colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statements on the label, "Prepared Mustard * * * Mustard Seed, Vinegar, Salt & Spices Colored and flavored with Turmeric," which statements did not include "Mustard Hulls," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reasons that the article was an imitation of, and was offered for sale under the distinctive name of, another article and that the statement on the label of the name of the manufacturer and place where manufactured was not correct.

On June 21, 1921, the case having come on for final disposition and the court having found the product to be adulterated and misbranded as alleged in the libel, judgment of condemnation and forfeiture was 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.*

**9915. Adulteration and misbranding of grape juice. U. S. * * * v. 9 Cases of * * * Concord Grape Juice. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14896. I. S. Nos. 10646-t, 10647-t. S. No. W-915.)

On May 20, 1921, the United States attorney for the Eastern District of Washington, 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 9 cases of Uva Brand Concord grape juice, remaining unsold in the original unbroken packages at Spokane, Wash., consigned by the Uva Grape Products Co., Fresno, Calif., alleging that the article had been shipped on or about March 24, 1920, and transported from the State of California into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "California Concord Grape Juice Net Contents 24 Oz. Unfermented Uva Brand Distributors Uva Grape Products Co. Fresno, California. Manufactured by G. Maselli, Fresno, California."

Adulteration of the article was alleged in substance in the libel for the reason that a grape juice containing artificial flavor and added phosphoric acid had been substituted wholly or in part for Concord grape juice.

Misbranding was alleged in substance for the reason that the labeling on the said bottles, "Concord Grape Juice." and the design of clusters and leaves of grapes were false and misleading and deceived and misled the purchaser, and for