tion of 34 dozen bottles of vanilla extract, at Great Falls, Mont., alleging that the article had been shipped by the Stone-Ordean-Wells Co., Duluth, Minn., on or about February 20, 1924, and transported from the State of Minnesota into the State of Montana, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle and carton) "Two Fluid Ounces Stone's Pure Extract Vanilla Stone-Ordean-Wells Company Duluth. Alcohol 40%."

Misbranding of the article was alleged in substance in the libel for the reason that the statement on the bottles and cartons relative to the measure and contents thereof, "Two Fluid Ounces Stone's Pure Extract Vanilla Alcohol 40%," was false and misleading and deceived and misled the purchaser, in that the bottles did not contain the volume and content as labeled. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked and stated on the outside of the packages in terms of weight and measure.

On August 13, 1924, the Stone-Ordean-Wells Co., Duluth, Minn., having appeared as claimant for the property and having consented to the entry of 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 $500, in conformity with section 10 of the act.

W. M. JARDINE, *Secretary of Agriculture.*

12888. Adulteration of walnuts in shell. U. S. v. 10 Bags of Walnuts in Shell. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19080. I. S. No. 13990–v. S. No. E–4990.)

On October 24, 1924, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 10 bags of walnuts in shell, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Philippe Vergnaud, from Bordeaux, France, on or about November 7, 1923, and transported from a foreign country into the State of New York, and charging adulteration in violation of the food and drugs act.

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

On November 21, 1924, James W. McGlone, New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of 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 $250, in conformity with section 10 of the act, conditioned in part that the good portion be separated from the bad portion under the supervision of this department, and the bad portion destroyed or denatured.

W. M. JARDINE, *Secretary of Agriculture.*

12889. Adulteration of canned sardines. U. S. v. 15 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19150. I. S. No. 13329–v. S. No. E–5008.)

On November 13, 1924, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 15 cases of sardines, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by L. D. Clark & Son, from Eastport, Me., on or about October 1, 1924, and transported from the State of Maine into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Carton) "Banquet Brand American Sardines * * * Packed by L. D. Clark & Son, Eastport, Maine."

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

On December 8, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*