15964. Misbranding and alleged adulteration of vinegar. U. S. v. 28 Barrels of Vinegar. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22499. I. S. No. 19378-x. S. No. 616.)

On March 2, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 28 barrels of vinegar at Sterling, Ill., alleging that the article had been shipped by the National Vinegar Co., St. Louis, Mo., September 24, 1927, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance made from evaporated or dried apple products had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the barrels containing the article bore the label, to wit, "National Vinegar Co., Gold-N-Rule Brand 53 Gals Cider Vinegar Reduced to 4 per cent St. Louis, Mo.," which label was false and misleading and deceived and misled the purchaser in that the said article did not contain pure cider vinegar, but contained a substance made from evaporated or dried apple products. Misbranding was alleged for the further reason that the article was an imitation of and was sold under the distinctive name of another food product.

On April 3, 1928, the National Vinegar Co., St. Louis, Mo., having appeared as claimant for the property, a decree was entered adjudging the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant, upon payment of costs and the execution of a bond in the sum of $1,000, to be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15965. Adulteration of frozen poultry. U. S. v. 1 Box of Frozen Poultry. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 22948. I. S. No. 02706. S. No. 1005.)

On August 3, 1928, the United States attorney for the Western 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 seizure and condemnation of 1 box of frozen poultry at Buffalo, N. Y., consigned by the Spirit Lake Produce Co., Spirit Lake, Iowa, alleging that the article had been shipped from Spirit Lake, Iowa, on or about April 18, 1928, and transported from the State of Iowa into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On August 6, 1928, the claimants and owners having consented to the destruction of the product and having paid all costs, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15966. Adulteration of frozen poultry. U. S. v. 119 Barrels of Frozen Poultry. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22771. I. S. No. 24482-x. S. No. 801.)

On May 8, 1928, 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 praying seizure and condemnation of 119 barrels of frozen poultry at Jersey City, N. J., alleging that the article had been shipped by Cromer J. Crossett, Inc., Chicago, Ill., on or about January 24, 1928, and had been transported from the State of Illinois into the State of New Jersey, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.