16427. Misbranding and alleged adulteration of vinegar. U. S. v. 7 Cases of Vinegar. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22674. I. S. No. 23585-x. S. No. 710.)

On or about March 29, 1928, the United States attorney for the Western District of Wisconsin, 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 7 cases of vinegar at Eau Claire, Wis., alleging that the article had been shipped by the Red Wing Food Products Co., Red Wing, Minn., February 15, 1928, and transported from the State of Minnesota into the State of Wisconsin, 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 an acid product other than apple cider vinegar had been mixed and packed with and substituted in part for apple cider vinegar, and in that the said article had been colored in a manner whereby its inferiority had been concealed.

Misbranding was alleged for the reason that the label of the article bore the statement, "Ecco Brand Apple Cider Vinegar," which label was false and misleading and deceived and misled the purchasers in that the said article did not comply with the said statements, since it contained an acid product other than apple cider vinegar.

On May 14, 1928, the Red Wing Food Products Co., Red Wing, Minn., having appeared as claimant for the property, judgment was entered finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of $200, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16428. Adulteration and misbranding of tomato puree. U. S. v. 75 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23640. I. S. No. 03027. S. No. 1879.)

On April 19, 1929, 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 seizure and condemnation of 75 cases of tomato puree, remaining in the original unbroken packages at Poughkeepsie, N. Y., alleging that the article had been shipped from Laurel, Del., by Thos. J. Meehan & Co., on or before December 7, 1928, and transported from the State of Delaware into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Tomato Puree Packed by Davis Canning Co., Laurel, Delaware, U. S. A. Pure Food Law Requirements Guaranteed."

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

Misbranding was alleged for the reason that the statement on the label, "Pure Food Law Requirements Guaranteed," was false and misleading and deceived and misled the purchaser.

On May 16, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16429. Adulteration and misbranding of vinegar. U. S. v. 10 Cases of Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23567. I. S. No. 09417. S. No. 1823.)

On or about April 4, 1929, the United States attorney for the Eastern 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 10 cases of vinegar, remaining in the original unbroken packages at Duquoin, Ill., alleging that the article had been shipped by the Louis Maull Co. Food Products Co., from St. Louis, Mo., on or about July 28, 1928, 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. The article was labeled in part: (Cases) "2 Doz. Pints Apple Vinegar Top Notch Brand;" (bottles) "Top Notch Vinegar One Pint Evaporated Apple Reduced to 4% Acid Strength Packed by L. Maull Co., St. Louis, Mo."