feited, and it was further ordered by the court that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16974. Misbranding of imitation cherry extract. U. S. v. 1 Barrel, et al., of Imitation Cherry Extract. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 23865. S. No. 1484.)

On or about December 28, 1928, the United States attorney for the Northern District of Texas, filed in the District Court of the United States for said district libels praying seizure and condemnation of 2 barrels of imitation cherry extract, remaining in the original unbroken packages at Dallas, Tex., alleging that the article had been shipped by the Sherlow Chemical Co., from New York, N. Y., on or about September 6, 1926, and transported from the State of New York into the State of Texas, and charging misbranding in violation of the food and drugs act.

It was alleged in the libels that the article was misbranded in that it was labeled, "Imitation Cherry Extract," so as to deceive and mislead the purchaser, that is to say, it was so labeled and branded as to lead the purchaser to believe that it was an extract having the flavor of cherry, and suitable for use in imparting the flavor of cherry to articles of food, whereas it was entirely deficient in the flavoring element necessary to impart the cherry flavor, and was entirely without value as a flavoring extract.

On May 6, 1929, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16975. Misbranding of imitation apricot extract, imitation peach extract and imitation tutti frutti extract. U. S. v. 1 Barrel of Imitation Apricot Extract, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 23868. S. No. 1487.)

On or about December 28, 1928, the United States attorney for the Northern District of Texas, filed in the District Court of the United States for said district, libels praying seizure and condemnation of 2 barrels of imitation peach extract, 2 barrels of imitation apricot extract, and 1 barrel of tutti frutti extract, remaining in the original unbroken packages at Dallas, Tex., alleging that the articles had been shipped by the Regal Extract Co., from New York, N. Y., on or about September 15, 1926, and transported from the State of New York into the State of Texas, and charging misbranding in violation of the food and drugs act.

It was alleged in the libels that the articles were misbranded in that they were labeled and branded, "Imitation apricot extract," "Imitation peach extract," and "Imitation tutti frutti extract," respectively, so as to deceive and mislead the purchaser, that is to say, they were so labeled and branded as to lead the purchaser to believe that they were extracts having the flavor of apricot, peach, or tutti frutti, as the case might be, and suitable for use in imparting said flavors to articles of food, whereas they were entirely deficient in the flavoring elements necessary to impart said flavors, and were entirely without value as flavoring extracts.

On May 6, 1929, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*