

9085. Adulteration and misbranding of mustard. U. S. * * * v. 4 Barrels, 5 Barrels, 5 Barrels, and 5 Barrels of Alleged Prepared Mustard * * *. Decree of condemnation. Product ordered released on bond. (F. & D. Nos. 13786, 13812, 13826, 13827. I. S. Nos. 8425-r, 8428-t, 8429-t, 8430-t. S. Nos. E-2830, E-2840, E-2844.)

On October 13, 21, and 28, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 4 barrels, 5 barrels, 5 barrels, and 5 barrels of alleged prepared mustard, consigned on or about August 23, 1920, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Budlong Pickle Co., Chicago, Ill., and transported from the State of Illinois into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Plochman & Witt Standard Brand Prepared Mustard Colored With Turmeric."

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

Misbranding was alleged for the reason that the statement on the label, "Standard Brand Prepared Mustard," was false and misleading and deceived and misled the purchaser, since the article was not standard brand prepared mustard, and for the further reason that said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On December 14, 1920, Plochman & Witt, Chicago, Ill., claimants, having filed their answer to the libels and the cases having come on for final disposition and due deliberation having been had, judgment of condemnation was entered, and it was ordered by the court that the product be delivered to said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400, in conformity with section 10 of the act, conditioned in part that the article be relabeled before being sold or disposed of.

E. D. BALL, *Acting Secretary of Agriculture.*

9086. Adulteration of nonalcoholic beverages. U. S. * * * v. 3 Kegs of Nonalcoholic Beverages. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13876. I. S. No. 13602-t. S. No. E-2866.)

On November 20, 1920, the United States attorney for the Northern District of Georgia, 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 3 kegs of nonalcoholic beverages, remaining in the original unbroken packages at East Point, Ga., consigned by the Red Cross Mfg. Co., St. Louis, Mo., alleging that the article had been shipped on or about September 27, 1920, and transported from the State of Missouri into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act. The kegs were labeled in part, "Orange Non Alcoholic Cli-co Artificial Flavor And Color Orange Flavor Sweetened with Saccharin," and "Cherry Non Alcoholic Cli-co Artificial Flavor and Color Cherry Flavor Sweetened with Saccharin," and "Port Cordial Non Alcoholic Cli-co Artificial Flavor And Color Port Cordial Flavor Sweetened with Saccharin," "* * * Guaranteed by Red Cross Mfg. Co. St. Louis, Mo."