

On September 15, 1920, P. E. Harris & Co., claimant for a portion of the goods, having admitted the allegations of the libel and having consented to a decree, and on September 14, 1920, the American Oriental Sales Corporation, Seattle, Wash., having entered an appearance as claimant for the balance of the goods, judgments of condemnation and forfeiture were 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 bonds in the aggregate sum of \$2,000 by the respective claimants, in conformity with section 10 of the act, said bonds being conditioned in part that the product be sorted under the supervision of this department and the bad portion destroyed.

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

9230. Adulteration of sauerkraut. U. S. * * * v. 909 Cases of Sauerkraut. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13512. I. S. No. 1613-t. S. No. C-2396.)

On August 30, 1920, the United States attorney for the Northern District of Texas, 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 900 cases of sauerkraut, remaining in the original packages at Fort Worth, Tex., alleging that the article had been shipped by the Purcell Grocery Co., Ardmore, Okla., on February 16, 1920, and transported from the State of Oklahoma into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Old Faithful Brand Sauer-Kraut."

It was alleged in substance in the libel that the article was adulterated in violation of section 7 of the Food and Drugs Act, paragraph 6, under "Food," for the reason that it was a filthy, decomposed, and putrid vegetable substance, and therefore inedible and unfit for human consumption.

On November 17, 1920, 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.

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

9231. Adulteration and misbranding of vinegar. U. S. * * * v. 58 Barrels of Vinegar. Decree condemning the article as adulterated and misbranded. Product released on bond. (F. & D. No. 13743. I. S. No. 5155-t. S. No. E-2795.)

On October 4, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 58 barrels of vinegar, at Boston, Mass., consigned by the Kistler Vinegar Works, Stroudsburg, Pa., on or about May 22, 1920, alleging that the article had been transported from the State of Pennsylvania into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "* * * Hatchet Brand Pure Fermented Apple Cider Vinegar * * *"

Adulteration of the article was alleged in the libel for the reason that waste vinegar had been mixed and packed with and substituted wholly or in part for said article.

Misbranding was alleged in substance for the reason that the statement, "Pure Fermented Apple Cider [Vinegar]," appearing in the labeling, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and offered for sale under the distinctive name of, another article.