

further reason that it contained an added poisonous or deleterious ingredient, to wit, arsenic, which might render it injurious to health.

On June 2, 1923, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11673. Adulteration and misbranding of vinegar. U. S. v. 3 Barrels and 1 Half-Barrel of Vinegar. Decrees of condemnation and forfeiture. Product ordered destroyed. (F. & D. Nos. 16333, 16334. I. S. Nos. 9337-t, 9338-t, 9339-t. S. Nos. E-3871, E-3871-a.)

On May 22, 1922, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 3 barrels and 1 half-barrel of vinegar, consisting of 1 half-barrel of red vinegar and 1 barrel of white vinegar at Orangeburg, S. C., and 2 barrels of red vinegar at Columbia, S. C., alleging that the articles had been shipped by the Fruit Products Co., from Savannah, Ga., in part on or about April 11 and in part on or about April 19, 1922, and transported from the State of Georgia into the State of South Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled, variously: (Barrels) "Fruit Products Co. Red Distilled Vinegar Colored 34 Pickling;" "White Distilled Vinegar 52 Pickling;" and "Red Vinegar Colored 34 * * * Distilled Savannah, Ga."

Adulteration of the articles was alleged in the libel for the reason that a substance, excessive water, had been mixed and packed therewith so as to reduce, lower, or injuriously affect their quality or strength and had been substituted wholly or in part for the said articles.

Misbranding was alleged in substance for the reason that the packages bore statements regarding the articles, "White Distilled Vinegar 52 Pickling" and "Red Vinegar Colored * * * Distilled," as the case might be, which were false and misleading and deceived and misled the purchaser, since the said articles were not white distilled pickling vinegar and red distilled vinegar, respectively, but had been diluted with excessive water. Misbranding was alleged for the further reason that the articles were imitations of and offered for sale under the distinctive names of other articles, to wit, white distilled pickling vinegar or red distilled vinegar, as the case might be.

On December 15, 1922, no claimant having appeared for the property, and a jury having been impaneled and verdicts rendered for the Government, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11674. Adulteration and misbranding of chloroform. U. S. v. 450 Cans of Chloroform. Default decree adjudging product to be adulterated and misbranded and ordering its destruction. (F. & D. No. 16547. S. No. C-3674.)

On July 3, 1922, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 450 cans of chloroform at Fort Smith, Ark., alleging that the article had been shipped from New York, N. Y., on or about March 10, 1922, and transported from the State of New York into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Chloroform * * * For Anaesthesia."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was turbid and that it contained chlorinated decomposition compounds.

Adulteration of the article was alleged in the libel for the reason that it was turbid instead of clear and contained other than the products specified on the label, to wit, chlorinated decomposition compounds.

Misbranding of the article was alleged in substance for the reason that it was labeled as aforesaid so as to deceive and mislead the purchaser, and for the further reason that it was falsely and knowingly mislabeled and misbranded in reckless disregard of the truth or falsity of the labeling so as to represent falsely and fraudulently to the purchaser and to create in the mind of such purchaser the impression and belief that it was composed of and contained ingredients set out on the label, when, in truth and in fact, it did not. Misbranding