Sons, Inc., from New Orleans, La., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cases) "2 Doz. 12 oz. Catsup."

The article was alleged to be adulterated in that artificially colored tomato catsup that contained pulp other than tomato pulp had been mixed and packed with it so as to reduce or lower its quality or strength; in that artificially colored tomato catsup containing pulp other than tomato pulp had been substituted wholly or in part for the article; and in that it was mixed and colored in a manner whereby its inferiority was concealed.

It was alleged to be misbranded in that the statement "catsup" was false and misleading and tended to deceive and mislead purchasers in that the unqualified term "catsup" is understood both by the trade and consumers to mean tomato catsup; and in that it was an imitation of, and was offered for sale, under the distinctive name of another article.

On March 2, 1938, default decree of condemnation and forfeiture, with order of destruction, was entered.

M. L. WILSON, *Acting Secretary of Agriculture.*

28779. Adulteration and misbranding of egg noodles. U. S. v. 55 Cartons of Egg Noodles. Default decree of condemnation and destruction. (F. & D. No. 41421. Sample No. 62136–C.)

This product was deficient in egg solids, and it contained soya flour and added coloring.

On January 13, 1938, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 55 cartons of egg noodles at Buffalo, N. Y., alleging that the article had been shipped in interstate commerce on or about April 5 and November 20, 1937, by the Pfaffman Co. from Cleveland, Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Mother Hubbard Brand Pure Egg Noodles The Pfaffman Company Cleveland, Ohio."

It was alleged to be adulterated in that a substance deficient in egg solids and containing soya flour and added carotene color had been substituted in whole or in part for pure egg noodles, which it purported to be; and in that it was colored in a manner whereby inferiority was concealed.

It was alleged to be misbranded in that the statement "Pure Egg Noodles" was false and misleading and tended to deceive and mislead the purchaser when applied to an article deficient in egg solids and containing soya flour and added carotene color.

On March 7, 1938, no claimant having appeared, judgment of condemnation and forfeiture, with order of destruction, was entered.

M. L. WILSON, *Acting Secretary of Agriculture.*

28780. Adulteration of potatoes. U. S. v. 223 Sacks, 28 Sacks, 16 Sacks, and 1,500 Pounds of Potatoes. Default decree of condemnation and destruction. (F. & D. No. 41431. Sample No. 1381–D.)

These potatoes were seriously damaged by net necrosis.

On January 14, 1938, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 267 sacks and 1,500 pounds in bulk of potatoes at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about January 5, 1938, by Paul Jackins from Houlton, Maine, and charging adulteration in violation of the Food and Drugs Act. The sacked portion was labeled in part: "Spudo Brand Potatoes Paul Jackins Houlton, Me."

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On February 25, 1938, no claimant having appeared, judgment of condemnation and forfeiture was entered with order of destruction.

M. L. WILSON, *Acting Secretary of Agriculture.*

28781. Adulteration and misbranding of vanilla, vanillin, and coumarin flavor. U. S. v. 11 One-Quart Bottles of Vanilla, Vanillin, and Coumarin Flavor. Default decree of condemnation and destruction. (F. & D. No. 41327. Sample No. 47678–C.)

This product was an imitation vanilla flavor containing a poison, a glycol.

On January 4, 1938, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the dis-