

of another food and its label did not bear, in type of uniform size and prominence, the word "imitation" and immediately thereafter the name of the food imitated.

On May 5, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2815. Adulteration and misbranding of vanilla extract. U. S. v. 12 Cartons of Vanilla Extract. Default decree of condemnation. Product ordered delivered to Food and Drug Administration for technical use.** (F. D. C. No. 4087. Sample Nos. 49531-E, 49532-E.)

On April 1, 1941, the United States attorney for the Western District of Texas filed a libel against 12 cartons of vanilla extract at San Antonio, Tex., consigned by Duke & Benedict, alleging that the article had been shipped in interstate commerce on or about February 8 and 21, 1941, from New York, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part: "Pure Extract Vanilla \* \* \* Distributors Midwest Laboratories Chicago, Ill.," and "Pure Extract Vanilla \* \* \* Distributors Huguenot Laboratories, Mount Vernon, N. Y."

The article was alleged to be adulterated (1) in that imitation vanilla extract containing resinous substances not found in genuine vanilla extract had been substituted wholly or in part for "Pure Extract Vanilla"; (2) in that inferiority had been concealed through the addition of foreign resins; and (3) in that foreign resins had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

It was alleged to be misbranded (1) in that the statement "Pure Extract Vanilla" was false and misleading; (2) in that it was offered for sale under the name of another food; and (3) in that it was an imitation of another food and its label did not bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated.

On May 26, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to the Food and Drug Administration for technical uses.

**2816. Adulteration and misbranding of vanilla extract. U. S. v. 22 Cases of Vanilla Extract (and 2 other seizures of vanilla extract). Consent decree of condemnation. Product ordered released under bond to be relabeled.** (F. D. C. Nos. 3973 to 3975, incl. Sample Nos. 46606-E, 46607-E, 46902-E.)

This case was based on the return shipment of three lots of vanilla extract that contained added resins not found in genuine vanilla extract.

On March 19, 1941, the United States attorney for the Southern District of New York filed libels against 64 cases, each containing 24 8-ounce bottles, and 4 cases, each containing 30 8-ounce bottles, of vanilla at New York, N. Y., alleging that the article had been shipped from Fort George G. Meade, Md., and from Trenton, N. J., on or about January 20 and 28, 1941; and charging that it was adulterated and misbranded. It was labeled in part: "Pure Extract Vanilla \* \* \* Distributors Huguenot Laboratories Mount Vernon, N. Y."

The article was alleged to be adulterated (1) in that an imitation vanilla extract containing resinous substances not found in genuine vanilla extract had been substituted wholly or in part for pure extract vanilla; (2) in that inferiority had been concealed through the addition of foreign resins; and (3) in that foreign resins had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

It was alleged to be misbranded (1) in that the statement "Pure Extract Vanilla" was false and misleading as applied to an imitation vanilla extract containing resinous substances not found in genuine vanilla extract; (2) in that it was offered for sale under the name of another food; and (3) in that it was an imitation of another food, and its label did not bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated.

On September 9, 1941, the cases having been consolidated and Arthur C. Herbert, claimant, having admitted the allegations of the libels, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration so that it comply with the law.

**2817. Adulteration and misbranding of vanilla extract. U. S. v. 42 Bottles of Vanilla Extract. Default decree of condemnation. Product ordered delivered to Food and Drug Administration for technical purposes.** (F. D. C. No. 4238. Sample No. 37016-E.)

On April 10, 1941, the United States attorney for the Eastern District of North Carolina filed a libel against 42 bottles of vanilla extract at Fort Bragg,