

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2625.

(Given pursuant to section 4 of the Food and Drugs Act.)

**U. S. v. 2 Barrels Vanilla Extract. Decree of condemnation by default.
Product ordered destroyed.**

ADULTERATION AND MISBRANDING OF VANILLA EXTRACT.

On January 8, 1913, the United States Attorney for the District of New Jersey, 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 2 barrels each containing approximately 27 gallons of vanilla extract, remaining unsold in the original unbroken packages at Perth Amboy, N. J., alleging that the product had been shipped on or about October 19, 1912, by David Lowenthal, New Rochelle, N. Y., and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product bore no label, but was invoiced as "2 brls. Extract."

Adulteration of the product was alleged in the libel for the reason that it consisted wholly or in part of an imitation extract of vanilla which had been colored in a manner to conceal its inferiority and which said imitation extract of vanilla had been substituted wholly for extract of vanilla. Adulteration was alleged for the further reason that said product had mixed with it a substance, to wit, imitation extract of vanilla, so as to reduce or lower and injuriously affect its quality and strength, and said imitation extract of vanilla was substituted wholly or in part for vanilla extract. Misbranding was alleged for the reason that the product was an imitation extract of vanilla and was sold for extract of vanilla.

On March 4, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *September 24, 1913.*