

Co., Oklahoma City, Okla." (Wooden cases marked) "2 doz. No. 14 Belle Isle Brand Tomato Catsup Preserved with $\frac{1}{10}$ of 1% Benzoate Soda Packed for Williamson Halsell Frasier Co., Oklahoma City, Chickasha, 'Guthrie.'" Examination of a sample of this brand by said Bureau of Chemistry showed the following results: Mold filaments present in about 20 per cent of all microscopic fields examined; yeasts and spores, about 70 per one-sixtieth cubic millimeter, and bacteria about 200,000,000 per cc. Adulteration of the product was alleged in the information for the reason that it consisted in part of a filthy and decomposed vegetable substance.

(2) On or about June 4, 1912, from the State of Ohio into the State of New York, of two brands of tomato catsup which was adulterated. The first of these brands was labeled: "Perfection Brand Tomato Catsup. Ingredients: Tomatoes, sugar, vinegar, salt, onions, garlic, spices, and one-tenth of 1 per cent of benzoate of soda. Not artificially colored. Packed by H. N. Weller & Co., Toledo, Ohio." Examination of a sample of this brand by said Bureau of Chemistry showed the following results: Mold filaments present in about 40 per cent of all microscopic fields examined; yeasts and spores, about 90 per one-sixtieth cubic millimeter, and bacteria about 100,000,000 per cc. The second brand was labeled: "Perfection Brand Tomato Catsup. Ingredients: Tomatoes, sugar, vinegar, salt, onions, garlic, spices, and one-tenth of 1 per cent benzoate of soda. Not artificially colored. Packed by H. N. Weller & Co., Toledo, Ohio." Examination of a sample of this brand by said Bureau of Chemistry showed the following results: Mold filaments present in about 82 per cent of all microscopic fields examined; yeasts and spores, about 61 per one-sixtieth cubic millimeter, and bacteria about 125,000,000 per c.c. Adulteration of the product was alleged in the information for the reason that it consisted in part of a decomposed vegetable substance.

On November 28, 1913, a plea of guilty was entered on behalf of the defendant firm and the court imposed a fine of \$50 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

2887. Misbranding of evaporated milk. U. S. v. 650 Cases of Evaporated Milk. Consent decree of condemnation and forfeiture. Goods released on bond. (F. & D. Nos. 4294, 4295, 4296. S. No. 1459.)

On July 12, 1912, the United States attorney for the northern district of California, 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 650 cases of evaporated milk remaining unsold in the original unbroken packages at Oakland, Cal., alleging that the product had been shipped on or about April 19, 1912, from the State of Wisconsin into the State of California, and thereafter distributed to Dodge, Sweeney & Co., F. B. Peterson, William Cluff Co., Oakland, Cal., and to other persons, firms, and corporations unknown to libelant, and charging misbranding in violation of the Food and Drugs Act. The product was labeled: (On cases) "Globe unsweetened evaporated milk manufactured and guaranteed by National Condensed Milk Company, Chicago, Ill., U. S. A." (On cans) "Registered U. S. Pat. Of. Globe (design, atlas and cow) evaporated milk. Globe unsweetened evaporated milk is prepared from the very best milk products in the great dairy State of Wisconsin reduced to the consistency of cream by evaporation vacui. It is perfectly sterilized and free from bacteria and all disease producing germs. The milk from its production on model farms under our direct supervision until finally marketed is scientifically handled, every precaution being taken to insure high uniform quality unapproached by other brands. Every can is guaranteed. Globe evaporated milk is available for every purpose for which fresh milk or cream is used and preferably on account of its absolute purity and perfect sterilization. It is a perfect food for infants, nursing mothers and sick, and for any troubled with weak digestion, being very nourishing, and our process softens the casein thereby rendering the milk very easy of digestion. In handy form for use on land and sea. Guaranteed by National Condensed Milk Co. under the

Food and Drugs Act June 30th 1906 Guaranty No. 18300 National Condensed Milk Co. Chicago Ill. U. S. A."

Analysis of the sample of the product on which the action was based, by the Bureau of Chemistry of this department, showed the following results:

Total solids (per cent).....	24.99
Butter fat (per cent).....	7.35
Sum of total solids and butter fat (per cent).....	32.34

Misbranding of the product was alleged in the libel for the reason that it was not sufficiently reduced to be entitled to the name "Evaporated Milk," and further for the reason that it was below the limit described in Food Inspection Decision 131.

On January 30, 1913, an answer having been filed by Taft & Suydam (Inc.), as agent for the National Condensed Milk Co., Chicago, Ill., claimant of the goods, whereby said claimant admitted that the analyses made on behalf of libelant were correct, and that said analyses showed that the percentages of total milk solids and of the butter fat in the product were as follows, each of the batches being designated by the number affixed by representative of the libelant at the time the samples were taken, to wit:

Batch No.	Total solids.	Butter fat.	Sum of total solids and of butter fat.
37253-E	24.20	7.67	31.87
37254-E	24.21	8.31	32.52
37255-E	25.07	8.46	33.54
37256-E	24.40	7.46	31.86
37257-E	24.37	7.45	31.82
37258-E	25.00	7.72	32.72
37259-E	25.33	8.22	33.55
37260-E	25.15	7.65	32.80
37261-E	24.80	7.65	32.45
37262-E	25.49	7.92	33.41
37263-E	25.47	7.91	33.38
37264-E	25.34	7.97	33.31

and that the total percentage of total milk solids and of butter fat was less than 34.3, prescribed by Food Inspection Decision 131 as the minimum total percentage of total milk solids and butter fat permissible in evaporated milk, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be released and delivered to the claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$600 in conformity with section 10 of the act.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

2888. Adulteration and misbranding of vanilla extract. U. S. v. One Five-gallon Keg of Vanilla Extract. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 4299. S. No. 1460.)

On July 12, 1912, the United States attorney for the Northern District of Ohio, 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 one 5-gallon keg of vanilla extract remaining unsold in the original unbroken package at Cleveland, Ohio, alleging that the product had been shipped by the William Haigh Co., Baltimore, Md., on or about June 26, 1912, to Peter Nichols, Cleveland, Ohio, and transported from the State of Maryland into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (First label) "Guaranteed by the Wm. Haigh Co. under the Food and Drugs Act, June 30, 1906. The Wm. Haigh Co., 126-128 S. Calvert Street, Baltimore, Md." (Second label) "Special XXXX Vanilla Flavor. Special flavoring for ice cream and candies prepared from vanilla beans, added vanillin and coumarin. Lead number (in analysis for vanilla bean) approximately .23." (Third label) "Manufactures Extracts, Fruit Juices, etc.