

into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The product was labeled "Capie and McAllister, Baltimore. From Howard W. Sockwell, Maurice River, New Jersey."

Adulteration of the product was alleged in the libel for the reason that it consisted of a filthy, decomposed, and putrid animal substance, to wit, filthy and decomposed clams.

On June 19, 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., *May 21, 1914.*

3128. Adulteration and misbranding of wine. U. S. v. 19 Barrels of Wine. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 5260. S. No. 1845.)

On June 19, 1913, the United States Attorney for the District of Massachusetts, 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 19 barrels of wine remaining unsold in the original unbroken packages at Boston, Mass., alleging that the product had been shipped by C. Giacona and Co., New Orleans, La., and transported from the State of Louisiana into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "Vittoria Type—S. N. P. Claret—Made Wine Artificial Harmless Coloring—Made from Pure Dry Grapes—C. Giacona & Co., New Orleans, La.—Guaranteed under the Food and Drugs Act, June 30, 1906—Serial No. 13268—J. S. W.—6/5/13."

Adulteration of the product was alleged in the libel for the reason that a substance, to wit, an imitation wine, artificially colored to conceal inferiority, prepared partly from starch sugar, had been substituted in part for said wine. Misbranding was alleged for the reason that said food and the package and the label thereof bore a statement, design, and device regarding said food and the ingredients and substances contained therein which was false and misleading, that is to say, the words "Vittoria Type Claret," which appeared thereon, because said words would lead a purchaser to believe that said food was Vittoria type claret wine, whereas, in truth and in fact, it was not.

On July 10, 1913, Giuseppe Carresi, of Boston, Mass., claimant, having consented thereto, judgment of condemnation and forfeiture was entered and it was ordered that the product should be delivered to said claimant upon payment of the costs of proceedings, which amounted to \$39.25, and the execution of the bond in the sum of \$400, in conformity with section 10 of the act.

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

WASHINGTON, D. C., *May 21, 1914.*

3129. Adulteration and misbranding of wine. U. S. v. 8 Barrels of Wine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5261. S. No. 1843.)

On June 20, 1913, the United States Attorney for the Western District of Pennsylvania, 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 8 barrels, purporting and represented to contain Ohio port wine, remaining unsold in the original unbroken packages at 305 Scotland Street, Pittsburgh, Pa., alleging that the product had been shipped on or about May 28, 1913, by the Kelley's Island Wine Co., Kelley's Island, Ohio, and transported from the State of Ohio into the State of Pennsylvania, and