

9993. Adulteration and misbranding of Port Hot, Konyak, red grape, and orange beverages. U. S. * * * v. 3 Kegs of Port Hot, 2 Kegs of Konyak, 1 Keg of Red Grape, and 1 Keg of Orange. Default decree finding product to be adulterated and misbranded and ordering its destruction. (F. & D. Nos. 14242, 14243, 14244, 14245, 14246, 14247. Inv. Nos. 27373, 27374, 27375, 27401, 27402, 27403, 27404. S. Nos. C-2700, C-2701, C-2703, C-2709, C-2710, C-2711.)

On January 28, 1921, the United States attorney for the Western District of Arkansas, 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 3 kegs of Port Hot, 2 kegs of Konyak, 1 keg of red grape, and 1 keg of orange beverages, at Paris and Ratcliff, Ark., respectively, alleging that the articles had been shipped by the Arlette Fruit Products Co., St. Louis, Mo., on or about December 3, 1920, and transported from the State of Missouri into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part, (keg) "Port Hot," "Konyak," "Red Grape," and "Orange Flavor," respectively. The articles with the exception of the "Red Grape" were further labeled in part, "* * * The contents of this package guaranteed to comply with all laws * * *

Adulteration of the articles was alleged in substance in the libel for the reason that an artificially colored beverage preserved with benzoate of soda had been mixed and packed with and substituted for the said articles, and for the further reason that they contained a poisonous and deleterious ingredient (saccharin), which rendered them injurious to health.

Misbranding of the articles was alleged in substance in the libel for the reason that the above-quoted statements contained on the labels were untrue.

On August 11, 1921, no claimant having appeared for the property, judgment of the court was entered finding the products to be adulterated and misbranded and ordering their destruction by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9994. Misbranding of cottonseed cake. U. S. * * * v. Houston County Oil Mill & Mfg. Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 14337. I. S. No. 18814-r.)

On March 15, 1921, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Houston County Oil Mill & Mfg. Co., a corporation, Crockett, Tex., alleging shipment by said company, on or about January 5, 1920, in violation of the Food and Drugs Act, as amended, from the State of Texas into the State of Arkansas, of a quantity of unlabeled cottonseed cake which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 25, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9995. Adulteration of tomato purée. U. S. * * * v. 9 Cases of * * * Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14577. I. S. No. 3142-t. S. No. C-2829.)

On March 2, 1921, the United States attorney for the Eastern District of Kentucky, 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