

District Court of the United States for said district a libel for the seizure and condemnation of 9 pounds of color, remaining unsold in the original packages at Norfolk, Va., alleging that the article had been shipped by the Perfection Specialty Co., Inc., Baltimore, Md., on or about October 6, 1921, and transported from the State of Maryland into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Certified To the U. S. Dept. of Agriculture The Perfection Specialty Co., Inc. Baltimore Manufacturers of Extracts, Flavorings, Food Colors and Emulsions. Certified Egg Shade, Food Color Made from Lot No. 3655 * * * Artificially Colored."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, salt, had been mixed and packed with the said article and substituted wholly or in part therefor.

Misbranding was alleged in substance for the reason that the following statements regarding the article, appearing in the labeling, "Certified To the U. S. Dept. of Agriculture * * * Manufacturers of * * * Food Colors * * * Certified Egg Shade, Food Color," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On July 1, 1922, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

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

11216. Adulteration of lemonade sirup. U. S. v. John J. Meier (John J. Meier & Co.). Plea of guilty. Fine, \$50. (F. & D. No. 16002. I. S. No. 167-t.)

On May 15, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John J. Meier, trading as John J. Meier & Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 19, 1921, from the State of Missouri into the State of Illinois, of a quantity of lemonade sirup which was adulterated. The article was labeled in part: (Bottle) "Minit Maid Strictly Pure Sugar Lemonade Syrup * * * John J. Meier & Co. St. Louis;" (neck of bottle) "Pure Lemonade."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an artificially colored and flavored imitation of lemonade sirup which contained no lemon juice.

Adulteration of the article was alleged in the information for the reason that an artificially colored and flavored product had been substituted for pure lemonade and for sugar lemonade sirup, to wit, a mixture of lemon juice and sugar sirup, which the said article purported to be. Adulteration was alleged for the further reason that it was a product inferior to pure lemonade and inferior to sugar lemonade sirup, to wit, a mixture which contained little, if any, lemon juice, which mixture was artificially flavored with phosphoric acid and with flavor derived from oil of lemon or limes and was artificially colored with a certain coal-tar dye, to wit, tartrazine, so as to simulate the taste and appearance of pure lemonade and of sugar lemonade sirup, and in a manner whereby its inferiority to said pure lemonade and sugar lemonade sirup was concealed.

On October 23, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

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

11217. Adulteration of nutmegs. U. S. v. 9 Cases of Nutmegs. Default decree of condemnation, forfeiture, and sale or destruction. (F. & D. No. 16787. S. No. E-4094.)

On August 31, 1922, the United States attorney for the Eastern District of New York, 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 9 cases of nutmegs, remaining unsold in the original unbroken packages at Staten Island, N. Y., alleging that the article had been imported on or about November 5, 1920, having been transported in foreign commerce and received into the State of New York, and charging adulteration in violation of the Food and Drugs Act.