

broken packages at Maugansville, Md., alleging that the article had been shipped by the High Spire Flour Mills, Inc., from High Spire, Pa., in two consignments, on or about March 13 and May 12, 1926, respectively, and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Pure Wheat Middlings Minimum Crude Protein, 15. per cent Minimum Crude Fat, 3. per cent * * * Manufactured by Highspire Flour Mills, Inc. Highspire, Pennsylvania."

Misbranding of the article was alleged in the libel for the reason that the statement "Minimum Crude Protein, 15. per cent Minimum Crude Fat, 3. per cent" was false and misleading and deceived and misled the purchaser.

On July 2, 1926, the High Spire Flour Mills, Inc., High Spire, Pa., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it not be sold or disposed of until properly labeled, and inspected and approved by this department.

W. M. JARDINE, *Secretary of Agriculture.*

14544. Adulteration of walnut meats. U. S. v. 10 Cases of Walnut Meats. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20855. I. S. No. 10475-x. S. No. W-1882.)

On February 23, 1926, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cases of walnut meats, remaining in the original unbroken packages at Spokane, Wash., consigned by the Sunset Nut Shelling Co., San Francisco, Calif., alleging that the article had been shipped on or about February 2, 1926, in interstate commerce from the State of California into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: Amber Walnut Meats, Packed by Sunset Nut Shelling Co. San Francisco, Calif."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed or putrid vegetable substance.

On July 19, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14545. Adulteration and misbranding of vanilla flavor. U. S. v. 2 Gross Bottles Vanilla Flavor. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20772. I. S. No. 10453-x. S. No. W-1844.)

On January 14, 1926, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 gross (bottles) of vanilla flavor, remaining in the original unbroken packages at Yakima, Wash., alleging that the article had been shipped by Lang & Co., from Portland, Oreg., November 28, 1925, and transported from the State of Oregon into the State of Washington, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Retail label) "Great American Brand Compound Vanilla Flavor Specially Prepared From Vanilla Bean Chemically Pure Vanillin, Coumarin And Caramel Color," the words "Compound Vanilla Flavor" being much more prominent than the remainder of the quoted label. The shipping case bore the retail label and the statement: "Three Dozen, Two Ounce."

Adulteration of the article was alleged in the libel for the reason that an imitation vanilla flavor, artificially flavored and colored, had been substituted wholly or in part for the said article, and in that it had been mixed and colored in a manner whereby damage and inferiority were concealed.

Misbranding was alleged for the reason that the labels on the cases containing the article were false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of and offered for sale under the distinctive name of another article.