

28403. Adulteration and misbranding of vanilla extract. U. S. v. 474 Bottles of Vanilla Extract. Consent decree of condemnation. Product released under bond for relabeling. (F. & D. No. 41010. Sample No. 36775-C.)

This product was a mixture of alcohol, water, vanilla, and caramel color, containing less vanilla oleoresin and a lower lead number than is found in vanilla extract.

On December 4, 1937, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 474 bottles of vanilla extract at Louisville, Ky., in possession of Vertrees Manufacturing Co., alleging that the article had been shipped in interstate commerce on or about November 12, 1937, from New York, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The shipment had been rejected and returned to the manufacturer, the Vertrees Manufacturing Co. The article was labeled in part: "Pure Extract Vanilla Vertrees Mfg. Co. Louisville, Ky."

It was alleged to be adulterated in that it was colored in a manner whereby inferiority was concealed.

The article was alleged to be misbranded in that the name "Pure Extract Vanilla" was false and misleading and tended to deceive and mislead the purchaser as applied to an article of food which was deficient in vanilla extractive matter.

On December 29, 1937, the Vertrees Manufacturing Co., Louisville, Ky., having appeared as claimant and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled "Imitation Vanilla."

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28404. Adulteration of mixed nuts. U. S. v. 54 Boxes of Mixed Nuts. Decree of condemnation. Product ordered released under bond for reconditioning. (F. & D. No. 41103. Sample No. 57915-C.)

These mixed nuts contained filberts which were moldy and decomposed.

On December 14, 1937, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 54 boxes of mixed nuts at Baltimore, Md., alleging that the article had been shipped in interstate commerce, on or about November 4, 1937, by the Graham Co. from New York, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Pratt-Dale Fancy Mixed Nuts."

It was alleged to be adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On December 20, 1937, H. B. Coulson, trading as Coulson & Co., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for reconditioning so as to conform to the requirements of the law.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28405. Adulteration of rice. U. S. v. 75 Bags, et al., of Rice. Default decrees of condemnation and destruction. (F. & D. Nos. 40640, 40642, 40842. Sample Nos. 48420-C, 48421-C, 48422-C, 48428-C, 48522-C, 48523-C, 48538-C, 48539-C, 48541-C.)

This article was infested with insects.

On November 1, 2, and 22, 1937, the United States attorneys for the District of Maryland and the District of Columbia, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 352 bags of rice at Baltimore, Md., and 264 bags of rice at Washington, D. C., alleging that the article had been shipped in interstate commerce in part on or about March 20, March 23, and June 8, 1937, by the Standard Rice Co., Inc., from Houston, Tex., into the District of Columbia, and in part on or about October 22 and October 25, 1937, from Washington, D. C., into the State of Maryland by H. P. Bleser, and charging adulteration in violation of the Food and Drugs Act. Portions of the article were labeled in part: "Standard Rice Co. Inc. Houston Tex."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On December 6, 8, and 14, 1937, no claimant having appeared, judgments of condemnation and forfeiture, with orders of destruction, were entered.

HARRY L. BROWN, *Acting Secretary of Agriculture.*