

of the bottle to the top of the carton was approximately $\frac{7}{8}$ -inch, and the cartons each had a cardboard liner.

On January 10, 1941, the United States attorney for the Western District of Washington filed a libel against 35 cases, each containing 24 bottles, of vanilla extract at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about October 31, 1940, by Wadhams & Co. from Portland, Oreg.; and charging that it was misbranded. It was labeled in part: (Cartons) "Contents 1 [or "2"] Fl. Oz. Red and White Brand Extract of Pure Vanilla."

The article was alleged to be misbranded (1) in that the statement on the individual bottle cartons, "50% Alcohol," was false and misleading as applied to an article containing slightly less than 35 percent alcohol; (2) in that the statement on the bottle cartons, "Guaranteed Absolutely Pure and to comply with all pure food laws," was false and misleading since it was incorrect; and (3) in that its container was so made, formed, or filled, as to be misleading.

On April 24, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1898. Adulteration and misbranding of vanilla extract. U. S. v. 1,346 Bottles of Vanilla Extract (and 7 other seizure actions against vanilla extract). Default decrees of condemnation. Portion of product ordered delivered to charitable organization; remainder ordered destroyed. (F. D. C. Nos. 3764 to 3768, incl., 3788, 3789, 4391. Sample Nos. 20179-E, 37134-E, 37135-E, 37137-E, 37140-E, 37141-E, 37142-E, 37235-E, 37236-E, 37237-E, 43178-E, 43179-E, 43181-E.)

This product contained resinous substances not found in genuine vanilla.

Between February 5 and April 21, 1941, the United States attorneys for the Middle District of Georgia, Southern District of Georgia, Northern District of Georgia, Southern District of Florida, Eastern District of North Carolina, Eastern District of South Carolina, and Western District of Oklahoma filed libels against 1,346 bottles of vanilla extract at Fort Benning, Ga., 489 bottles at Tampa, Fla., 88 bottles at Fort Screven, Ga., 1,056 bottles at Fort Bragg, N. C., 467 bottles at Fort Moultrie, S. C., 185 bottles at Fort McPherson, Ga., 160 bottles at Fort Oglethorpe, Ga., and 606 bottles at Oklahoma City, Okla., alleging that the article had been shipped in interstate commerce within the period from on or about July 23 to on or about December 27, 1940, by the Midwest Laboratories (or Midwest Laboratories Astrol Co.) from New York, N. Y.; and charging that it was adulterated and misbranded. The article was labeled in part: (Bottles) "Pure Extract Vanilla."

The article was alleged to be adulterated in that an imitation vanilla extract containing substances not found in genuine vanilla extract had been substituted wholly or in part for pure vanilla extract; in that inferiority had been concealed through the addition of foreign resins; and in that foreign resins had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

It was alleged to be misbranded in that the statement "Pure Extract Vanilla" was false and misleading as applied to an imitation vanilla extract containing resinous substances not found in genuine vanilla extract; in that it was offered for sale under the name of another food; and in that it was an imitation of another food, and its label did not bear in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated.

Between the dates of March 1 and May 28, 1941, no claimant having appeared, judgments of condemnation were entered. The product seized in the Middle, Northern, and Southern Districts of Georgia, Southern District of Florida, and Eastern District of South Carolina were ordered destroyed immediately, and the product seized in the Western District of Oklahoma was ordered delivered to a charitable organization. The lot seized in the Eastern District of North Carolina was ordered destroyed after 30 days unless taken down under bond by the owner and was destroyed in accordance with said order.

SPICES

1899. Adulteration and misbranding of paprika. U. S. v. 12 Bags of Paprika. Default decree of condemnation and destruction. (F. D. C. No. 3550. Sample No. 37221-E.)

This product consisted of corn meal containing added oil, ground pepper, and artificial color. It also contained insect fragments.

On or about December 20, 1940, the United States attorney for the Southern

District of Florida filed a libel against 12 bags of paprika at Miami, Fla., alleging that the article had been shipped in interstate commerce on or about October 29, 1940, by Armando Velasquez from Havana, Cuba; and charging that it was adulterated and misbranded. The article was labeled in part: "Paprika Product of Cuba."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; in that a valuable constituent, paprika, had been in whole or in part omitted therefrom; in that a substance, corn meal containing added oil, dried ground pepper, and artificial color, had been substituted wholly or in part for paprika, which it purported to be; and in that damage or inferiority had been concealed.

It was alleged to be misbranded in that the name "Paprika" was false and misleading; in that it was offered for sale under the name of another food; in that it was an imitation of another food and its label failed to bear in type of uniform size and prominence the word "imitation" and directly thereafter the name of the food imitated; in that it was in package form and failed to bear a label containing the name and address of the manufacturer, packer, or distributor; in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient; and in that it contained artificial coloring and its label failed to bear a statement of that fact.

On January 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1900. Adulteration and misbranding of paprika. U. S. v. 1 Bag of Paprika. Default decree of condemnation and destruction. (F. D. C. No. 3855. Sample No. 46549-E.)

Examination showed that this product consisted essentially of corn meal with only a small quantity of ground paprika, and that it was contaminated with rodent hairs and insect fragments. Its label failed to comply with certain labeling requirements of the law as indicated below.

On February 21, 1941, the United States attorney for the Southern District of New York filed a libel against 1 bag of paprika at New York, N. Y., alleging that the article had been shipped on or about November 13, 1940, from Miami, Fla., by the C. A. Burnet Warehouse & Trans. Co. on order of Florida Food Sales; and charging that it was adulterated and misbranded. It was labeled in part: "Paprika Product of Cuba Net Weight 110 lbs."

The article was alleged to be adulterated (1) in that it consisted in whole or in part of a filthy substance; (2) in that a valuable constituent, paprika, had been in whole or in part omitted therefrom; (3) in that a substance, corn meal containing a small quantity of ground paprika, had been substituted wholly or in part for paprika; and (4) in that damage or inferiority had been concealed.

It was alleged to be misbranded (1) in that the name "Paprika" was false and misleading as applied to corn meal containing a small quantity of ground paprika; (2) in that it was offered for sale under the name of another food; (3) in that it was an imitation of another food and its label failed to bear in type of uniform size and prominence the word "imitation" and, immediately thereafter, the name of the food imitated; (4) in that it was in package form and failed to bear a label containing the name and the place of business of the manufacturer, packer, or distributor; and (5) in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient.

On March 19, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.