

Misbranding of the article was alleged for the reason that the statements, to wit, "Olio D'Oliiva De Angelo Brand," "Lucca Olive Oil Product of Italy," and " $\frac{1}{4}$ Gall. Net Content," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained $\frac{1}{4}$ gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of an oil other than olive oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain $\frac{1}{4}$ gallon net of the article, but contained a less amount. Misbranding of the article was alleged for the further reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was a product manufactured and produced in whole or in part in the United States of America, and was branded as manufactured and produced in the kingdom of Italy, and for the further reason that it was a mixture composed in part of an oil other than olive oil, prepared in imitation of olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, olive oil, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained $\frac{1}{4}$ gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of an oil other than olive oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain $\frac{1}{4}$ gallon net of the article, but contained a less amount; and for the further reason that the statements borne on the cans purported that the article was a foreign product, when not so. Misbranding of the article was alleged for the further 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 January 29, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$7.

E. D. BALL, *Acting Secretary of Agriculture.*

6953. Misbranding of Seelye's Wasa-Tusa, Dr. Seelye's Compound Extract of Sarsaparilla, Seelye's Laxa-Tena, Seelye's Cough and La Grippe Remedy, and Seelye's Fluorilla Compound. U. S. * * * v. A. B. Seelye Medical Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9449. I. S. Nos. 8122-p, 8124-p, 8125-p, 8126-p, 8127-p.)

On February 19, 1919, the United States attorney for the District of Kansas, 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 A. B. Seelye Medical Co., a corporation, Abilene, Kans., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about July 7, 1917, and September 7, 1917, from the State of Kansas into the State of Missouri, of quantities of articles, labeled in part "Seelye's Wasa-Tusa," "Dr. Seelye's Compound Extract of Sarsaparilla," "Seelye's Laxa-Tena," "Seelye's Cough and La Grippe Remedy," and "Seelye's Fluorilla Compound," which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

The Wasa-Tusa contained ammonia, chloroform, camphor, capsicum, aromatics, alcohol, and water.

The Compound Extract of Sarsaparilla consisted of a reddish brown solution containing essentially a small amount of plant extractives, aromatics, coloring matter, potassium iodid, sugar, alcohol, and water.

The Laxa-Tena consisted of a dark colored sirup containing essentially emodin-bearing plant material, sugar, alcohol, and water.

The Cough and La Grippe Remedy consisted of a heavy sugar sirup containing plant material, together with small amounts of alcohol, chloroform, and tar.

The Fluorilla Compound consisted of a sirup containing emodin-bearing plant material, a small amount of alkaloids, sugar, alcohol, and water.

It was alleged in substance in the information that the Wasa-Tusa was misbranded for the reason that certain statements appearing on the labels of the cartons and bottles falsely and fraudulently represented it as a treatment, remedy, and cure for rheumatism, lame back, tonsilitis, sore throat, nasal catarrh, la grippe, colic, cholera morbus, inflammation of the kidneys, and all painful affections of a nervous and inflammatory nature, summer complaint, pain in the back and kidneys, bunions, swelling, and inflammatory conditions, diphtheria, fever, colds, burns, scalds, indigestion, fever and ague, pain in the side, strains of muscles and limbs, all painful swellings, tumors, deafness, stiff and enlarged joints, and all diseases of a painful nature, when, in truth and in fact, it was not.

It was alleged in substance that the Compound Extract of Sarsaparilla was misbranded for the reason that certain statements appearing on the labels of the cartons falsely and fraudulently represented it as a treatment, remedy, and cure for scrofula, scrofulous humors, scald head, syphilitic affections, cancerous humors, ringworm, salt rheum, boils, tumors, pimples, and humors on the face, catarrh, dizziness, faintness at the stomach, female weakness, general debility, and all diseases arising from impure blood and low condition of the system, and that it was effective to cleanse and enrich the blood, and to tone up the nervous system and impart new life to all the functions of the body, when, in truth and in fact, it was not.

It was alleged in substance that the Laxa-Tena was misbranded for the reason that certain statements appearing on the labels of the cartons falsely and fraudulently represented it as a treatment, remedy, and cure for jaundice, sour stomach, fever and ague, and that it was effective to remove the cause that develops appendicitis and to prevent fevers, when, in truth and in fact, it was not.

It was alleged in substance that the Cough and La Grippe Remedy was misbranded for the reason that certain statements appearing on the labels of the cartons falsely and fraudulently represented it as a treatment, remedy, and cure for influenza, la grippe, whooping cough, asthma, catarrh, phthisis, hoarseness, and all affections of the throat and lungs, and effective when taken in connection with Seelye's Wasa-Tusa to remove soreness of the chest, and to prevent lung fever and pneumonia, when, in truth and in fact, it was not.

It was alleged in substance that the Fluorilla Compound was misbranded for the reason that certain statements appearing on the labels of the bottles falsely and fraudulently represented it as a treatment, remedy, and cure for anemia, languid habits in young girls budding into womanhood, amenorrhœa, dysmenorrhœa (painful menstruation), leucorrhœa, bearing down pains, fainting spells, nervousness, local congestion, prolapsus uteri (falling of the womb),

and effective as a treatment for delicate women and the diseases peculiar to their sex; and effective to restore strength, renew vitality, and build up the functional structure of delicate women, when, in truth and in fact, it was not.

On March 5, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

6954. Adulteration and misbranding of olive oil. U. S. * * * v. S. F. Zaloom & Co., a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 9450. I. S. No. 2684-p.)

On July 17, 1919, the United States attorney for the Southern 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 an information against S. F. Zaloom & Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 20, 1918, from the State of New York into the State of Massachusetts, of a quantity of an article, labeled in part "De Angelo Brand Lucca Olive Oil," which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Average net contents of 10 cans-----	1 pint 14.57 fluid ounces.
Average shortage (fluid ounces)-----	1.43
Average shortage (per cent)-----	4.46
Test for cottonseed oil: Strongly positive.	

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Olio D'Oliva De Angelo Brand," "Lucca Olive Oil Product of Italy," and "1/4 Gall. Net Contents," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained $\frac{1}{4}$ gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, that each of said cans contained $\frac{1}{4}$ gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain $\frac{1}{4}$ gallon net of the article, but contained a less amount; and for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured and produced in whole or in part in the United States of America, and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that it was a mixture composed in part of cottonseed oil prepared in imitation of olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, olive oil; and for the further reason that the statements borne on the cans purported that the article was a foreign product, when not so. Misbranding of the article was alleged for the further reason