

grains which was misbranded. The article was labeled in part, "Goldnes Kalb' Dried Brewers' Grains * * * K. & E. Neumond, Inc."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 5.85 per cent of fat, 21.2 per cent of protein, and 16.6 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guarantee * * * not less than 6.0 per cent of crude fat, 24.0 per cent of crude protein, not more than 13.0 per cent of crude fiber," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 6 per cent of crude fat, not less than 24 per cent of crude protein, and not more than 13 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 6 per cent of crude fat, not less than 24 per cent of crude protein, and not more than 13 per cent of crude fiber, whereas, in truth and in fact, it contained less crude fat and crude protein and more crude fiber, to wit, approximately 5.85 per cent of crude fat, 21.2 per cent of crude protein, and 16.6 per cent of crude fiber.

On November 10, 1920, a plea of *nolo contendere* to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs

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

S756. Misbranding of The Texas Wonder. U. S. * * * v. 3 Dozen Packages of The Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (U. & D No 12125, I. S No 632-r, S No. E-1945.)

On January 30, 1920, the United States attorney for the Southern District of Georgia, 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 3 dozen packages of The Texas Wonder, remaining unsold in the original packages at Savannah, Ga., alleging that the article had been shipped by E. Strocker, St. Louis, Mo., on or about January 19, 1920, and transported from the State of Missouri into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Package) "Texas Wonder * * * E. W. Hall, Sole Manufacturer St. Louis, Mo.;" (carton) "The Texas Wonder, Hall's great discovery for kidney and bladder trouble, diabetes, weak and lame backs, rheumatism * * * Gravel regulates bladder trouble in children;" (circular, testimonial of Louis A. Portner, St. Louis, Missouri) " * * * Began using The Texas Wonder for stone in the kidneys, inflammation of the bladder, and tuberculosis of the kidneys * * * Urine contained 40 per cent pus. * * * Still using the medicine with wonderful results and his weight had increased * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was composed essentially of copaiba, rhubarb, colebicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the carton and label and in the circular were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed.

On December 1, 1920, 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.

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

8757. Adulteration of eggs. U. S. * * * v. Anna Finneseth, Ida B. Finneseth, J. Lawrence Finneseth (A. Finneseth Co.). Pleas of guilty. Fine, \$250. (F. & D. No. 12361. I. S. No. 8487-r.)

On July 20, 1920, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Anna Finneseth, Ida B. Finneseth, and J. Lawrence Finneseth, trading as the A. Finneseth Co., Park River, N. Dak., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 19, 1919, from the State of North Dakota into the State of Minnesota, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed, in 2 half cases, the presence of 8.33 per cent of inedible eggs consisting of black rots, mixed or white rots, and moldy eggs.

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

On November 18, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$250.

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

8758. Adulteration and misbranding of hominy feed. U. S. * * * v. Chapman-Doake Co., a Corporation. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. No. 12363. I. S. No. 10678-r)

On August 20, 1920, the United States attorney for the Southern District of Illinois, 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 Chapman-Doake Co., a corporation, Decatur, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 16, 1918, from the State of Illinois into the State of Indiana, of a quantity of hominy feed which was adulterated and misbranded. The article was labeled in part, "The Chapman-Doake Company * * * Hominy Feed * * * Corn Product."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 4.61 per cent of crude fat as ether extract. Examination of a sample of the article showed that it contained oat hulls.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, oat hulls, 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 hominy feed, which the article purported to be.

Misbranding was alleged for the reason that the statements, "The Chapman-Doake Company of Decatur, Ill., Guarantee this Hominy Feed to contain not less than 7.0 per cent of crude fat," and "Compounded from the following ingredients: Corn Product," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 7 per cent of crude fat, and that it was compounded wholly from corn, and for the further reason that the article was labeled as aforesaid so as to