United States Department of Agriculture,

BUREAU OF CHEMISTRY.

W. G. CAMPBELL, Acting Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 10051–10100.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., April 15, 1922.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

10051. Misbranding of Oculum Oil. U. S. * * * v. 6 Bottles * * * of Oculum Oil, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12549, 12594. I. S. Nos. 3105–r, 3124–r, 3125–r. S. Nos. W–596, W–599.)

On April 9, 1920, the United States attorney for the District of Oregon, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 16 bottles and 1 can of Oculum Oil, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Hancock Inoculatum Co., Salem, Va., on or about November 22, 1917, and September 22, 1919, respectively, and transported from the State of Virginia into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act, as amended. A portion of the bottles containing the article were labeled in part: "'Oculum' Oil Germicide For Hogs, * * * Remedy and Preventive for Hog Cholera. * * * If hog has the Cholera treble the dose until improvement results, * * *." The remainder of the bottles bore a label and were accompanied by a circular containing statements in part as follows: (Bottles) "'Oculum Oil' * * * Remedy And Preventive For Hog Cholera"; (circular) "Oculum Oil * * * Will Knock The Cholera * * * If a hog has the Cholera, feed 15 drops * * * and also inoculate the hog by injecting 'Oculum Oil' * * *"; (testimonials) "* * * Farmers * * * are bad off for something to check Hog Cholera and since the 'Oculum Oil' you sent * * * has proven to be the solution of the problem I feel safe to recommend it * * * A neighbor lost * * * hogs with Cholera last year, and though mine were within four hundred yards of his, I had no sickness. I believe 'Oculum Oil' saved mine * * *." The can containing a portion of the said article was labeled in part as follows: "'Oculum Oil' * * * Destroys Disease Germs In Anicals Remedy And Preventive For Hog Cholera * * * When Animal Is Sick. * * * Treble the dose * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of turpentine oil with a small amount of amber oil and an orange-colored dye.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing upon the bottles and the can containing the said article and in the circulars accompanying the article, regarding the curative and therapeutic effect thereof and the substances contained therein, were false and fraudulent in that the said article contained no

ingredients or combination of ingredients capable of producing the effects claimed.

On November 23, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10052. Adulteration and misbranding of gelatin and apple cider compound and misbranding of Maplo. U. S. * * * v. W. B. Wood Mfg. Co., a Corporation. Pleas of guilty. Fines, $190 and costs. (F. & D. Nos. 13082, 13245. I. S. Nos. 11398-r, 11399-r, 7626-r, 7828-r, 10511-r, 11369-r, 12103-r, 12104-r, 16180-r, 16190-p.)

On November 15, 1920, and April 5, 1921, respectively, the United States attorney for the Eastern District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district informations against the W. B. Wood Mfg. Co., a corporation, St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, between the dates March 1 and April 30, 1919, from the State of Missouri into the States of Minnesota, Ohio, South Carolina, Texas, and Alabama, respectively, of quantities of gelatin which was adulterated and misbranded; on or about May 25, 1918, from the State of Missouri into the State of Washington, of a quantity of apple cider compound which was adulterated and misbranded; and on or about April 29, 1919, from the State of Missouri into the State of Indiana, of a quantity of Maplo which was misbranded.

Analyses of samples of the gelatin by the Bureau of Chemistry of this department showed that it consisted in part of glue and contained excessive zinc. Analysis of a sample of the apple cider compound by said bureau showed that it was apparently a concentrated compound apple cider containing added phosphoric and tartaric acids. Analysis of a sample of the Maplo by said bureau showed that it was an imitation maple flavor product with no evidence of maple sugar.

Adulteration of the gelatin was alleged in the informations for the reason that a substance, to wit, glue, 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 gelatin, which the said article purported to be. Adulteration was alleged for the further reason that the article contained an added poisonous and deleterious ingredient, to wit, zinc, which might render it injurious to health. Adulteration of the apple cider compound was alleged for the reason that it was a mixture composed in part of a product other than cider, which contained phosphoric and tartaric acids, prepared in imitation of apple cider compound, and was offered for sale and sold under the distinctive name of another article, to wit, apple cider compound.

Misbranding of the gelatin was alleged for the reason that it was a mixture composed in part of glue and zinc, prepared in imitation of, and offered for sale and sold under the distinctive name of, another article, to wit, gelatin. Misbranding of a portion of the said gelatin was alleged for the further reason that the statements, to wit, "Gelatine," and "Pure Food Gelatine," respectively, borne on the drum or barrel, as the case might be, containing the said article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was gelatin, 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 was gelatin, whereas, in truth and in fact, it was not gelatin but was a mixture composed in part of glue and zinc. Misbranding of the apple cider compound was alleged for the 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. Misbranding of the Maplo was alleged for the reason that the statement "Maplo" borne on the labels attached to the bottles containing the said Maplo, regarding it and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article contained an appreciable amount of maple sugar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained an appreciable amount of maple sugar, whereas, in truth and in fact, it contained no maple sugar.

On November 1, 1921, pleas of guilty to the informations were entered on behalf of the defendant company, and the court imposed fines in the aggregate sum of $190, together with the costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*