10205. Adulteration and misbranding of oil. U. S. * * * v. 25 Cans of Olio La Viva Italia Brand Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13682. I. S. No. 6336-t. S. No. E-2749.)

On September 27, 1920, the United States attorney for the District of New Jersey, 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 25 cans of Olio La Viva Italia Brand oil, at Paterson, N. J., alleging that the article had been shipped by Poleti, Coda & Rebecchi, New York, N. Y., on or about August 3, 1920, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that soya bean [oil] had been mixed and packed with, and substituted wholly or in part for, the said article.

Misbranding was alleged in substance for the reason that the package containing the article bore the statements, designs, or devices regarding the said article or the ingredients or substances contained therein, to wit, "Olio La Viva Italia Brand * * * Superior in Quality, Purity, Economy & Flavor To Olive Oil * * * Fine Edible Salad Oil Blended With Pure Olive Oil * * * Net Contents 1 Gallon * * * La Viva Italia Brand Oil For Salad Mayonnaise Cooking Frying Olio La Viva Italia Brand Garantito Puro Eccellente Da Tavola," which were false and misleading and deceived and misled the purchaser.

On July 11, 1921, 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.

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

10206. Misbranding of Parry's vegetable compound. U. S. * * * v. 20 Bottles of * * * Parry's Vegetable Compound No. 2, et al. Decrees of condemnation and forfeiture. Products released under bond. (F. & D. Nos. 13773, 13774. I. S. Nos. 8629-t to 8638-t, inclusive. S. Nos. E-2820 to E-2829, inclusive.)

On or about October 30, 1920, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain bottles of Parry's vegetable compound, namely, 7 bottles No. 1, 50 bottles No. 2, 16 bottles No. 3, 11 bottles No. 4, 13 bottles No. 6, 5 bottles No. 9, 11 bottles No. 10, 11 bottles No. 11, and 6 bottles No. 12, remaining unsold in the original unbroken packages at Morgantown and Clarksburg, W. Va., respectively, alleging that the articles had been shipped by the Parry Medicine Co., Inc., Pittsburgh, Pa., on or about August 12 and 24 and September 15 and 28, 1920, respectively, and transported from the State of Pennsylvania into the State of West Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they consisted of olive oil, alcohol, and water, flavored with various essential oils.

Misbranding of the articles was alleged in substance in the libels for the reason that the labels thereof contained the following statements, respectively, regarding the curative and therapeutic effects of the said articles, "Parry's Vegetable Compound No. 1 * * * Cancer * * * For Tuberculosis, Lungs, Bones or Flesh, Gallstones or Tapeworm * * *," "* * * No. 2 * * * Cancer * * * For Cancer, Catarrh, Head Noises, Tumors, Adenoids, Hemmorrhoides, Piles, Appendicitis, Asthma, Goiter, Typhoid and all other Fevers * * *," "* * * No. 3 * * * Cancer * * * For Bright's Disease, Bladder, Kidneys, Influenza and for Weak Women * * *," "* * * No. 4 * * * Cancer * * * For Stomach, Bowel Trouble, Black Plague and Leprosy * * *" "* * * No. 6 * * * Cancer * * * For Eczema, Pimples, Skin Disease, Scalds, Burns, and Smallpox * * *," "* * * No. 9 * * * Cancer * * * For Insanity, Fits, Paralysis, Meningitis, Mad Dog and Snake Bite * * *" "* * * No. 10 * * * Cancer * * * For Heart, Kidneys, Nose and Throat * * *," "* * * No. 11 * * * Cancer * * * For Nervous Troubles, Rheumatism and Saint Vitis Dance * * *," "* * * No. 12 * * * Cancer * * * For Nerves, Gall Stones, Curvature of Spine and Deformity * * *," which statements were false and fraudulent in that the said articles contained no drugs and no sub-