

ment by said company, on or about December 3, 1918, in violation of the Food and Drugs Act, as amended, from the State of Louisiana into the State of South Carolina, of a quantity of rice bran which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added ground rice hulls.

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

Misbranding was alleged for the reason that the statement, to wit, "Bran," borne on the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the said article was bran, 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 bran, whereas, in truth and in fact, the said article was not bran but was a product containing added ground rice hulls. Misbranding was alleged for the further reason that the article was a product containing added ground rice hulls and was prepared in imitation of, and sold under the distinctive name of, another article, to wit, bran; and 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 December 6, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$30.

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

10562. Adulteration and misbranding of rice bran. U. S. * * * v. John T. Gibbons. Plea of guilty. Fine, \$20. (F. & D. No. 12337. I. S. No. 16157-r.)

On July 3, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John T. Gibbons, New Orleans, La., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about December 16, 1918, from the State of Louisiana into the State of North Carolina, of a quantity of rice bran which was adulterated and misbranded. The article was labeled in part: "150 Lbs. Rice Bran J. T. Gibbons, New Orleans, La. * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to contain 14.85 per cent of crude fiber, indicating the presence of approximately 6.5 per cent of added hulls.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, rice 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 rice bran, which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Rice Bran" and "Guaranteed Analysis * * * Fibre 12.00%," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was rice bran and that it contained not more than 12 per cent of fiber, 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 rice bran and that it contained not more than 12 per cent of fiber, whereas, in truth and in fact, it was not rice bran but was a mixture composed in part of rice hulls, and it did contain more than 12 per cent of fiber, to wit, approximately 14.85 per cent of fiber. Misbranding was alleged for the further reason that the article was a mixture composed in part of rice hulls, prepared in imitation of, and sold under the distinctive name of, another article, to wit, rice bran.

On December 9, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

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

10563. Misbranding of Brodie cordial. U. S. * * * v. I. L. Lyons & Co., Ltd., a Corporation. Plea of guilty. Fine, \$20. (F. & D. No. 13232. I. S. No. 6787-r.)

On June 21, 1921, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district an information against I. L. Lyons & Co., Ltd., a corporation, New Orleans, La., alleging shipment by said company, on or about January 11, 1919, in violation of the Food and Drugs Act, as amended, from the State of Louisiana into the State of Mississippi, of a quantity of Brodie cordial which was misbranded. The article was labeled in part: "Brodie Cordial * * * I. L. Lyons & Co., Ltd., Sole Proprietors * * * New Orleans * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a hydroalcoholic sirup containing catechu, tannin, and small amounts of morphine, flavored with oil of peppermint and oil of cinnamon.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects of the said article, appearing on the labels of the bottles and cartons containing the said article and in the accompanying circulars, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for cholera, dysentery, bloody flux, cramps, flatulence, colic, cholera infantum, cholera morbus, and all bowel troubles, and effective as a treatment, remedy, and cure for chicken cholera and all bowel disorders of chickens, ducks, turkeys, and pigeons, when, in truth and in fact, it was not.

On December 6, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20.

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

10564. Adulteration of canned blackberries. U. S. * * * v. 99 Cases * * * of Blackberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14634. I. S. No. 1125-t. S. No. C-2871.)

On March 17, 1921, the United States attorney for the Southern District of Iowa, 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 99 cases of blackberries, remaining unsold at Council Bluffs, Iowa, alleging that the article had been shipped by the Puyallup & Sumner Fruit Growers Canning Co., Puyallup, Wash., October 5, 1920, and transported from the State of Washington into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Famous Puyallup Brand Solid Pack Water Blackberries * * * Packed By Puyallup & Sumner Fruit Growers Canning Co. Canneries At Sumner and Puyallup, Wash. Albany, Oregon."

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

On November 8, 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.*

10565. Misbranding of cottonseed cake. U. S. * * * v. Gonzales Cotton Oil & Mfg. Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 14938. I. S. No. 11655-t.)

On July 30, 1921, the United States attorney for the Western District of Texas, 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 Gonzales Cotton Oil & Mfg. Co., a corporation, Gonzales, Tex., alleging shipment by said company, on or about October 29, 1920, in violation of the Food and Drugs Act, as amended, from the State of Texas into the State of Kansas, of a quantity of cottonseed cake which was misbranded. The article was labeled in part: "100 Pounds (Net) Ordinary Cottonseed Cake Manufactured by Gonzales Cotton Oil & Manufacturing Co., Gonzales, Texas."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained approximately 40.17 per cent of crude protein. Examination by said bureau of 50 sacks from the consignment showed that the average gross weight thereof was 97.64 pounds, and that the average net weight was 97.02 pounds.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "100 Pounds (Net)" and "Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent," borne on the tags attached to the sacks