

On November 9, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150 and costs.

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

9631. Misbranding of Dr. A. V. Banes' female pills. U. S. * * * v. Artilens Valerius Banes (Dr. A. V. Banes' Medicine Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 11646. I. S. No. 5946-r.)

On May 25, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Dr. Artilens Valerius Banes, trading as the Dr. A. V. Banes' Medicine Co., St. Joseph, Mo., alleging shipment by said defendant, on or about October 14, 1918, in violation of the Food and Drugs Act, as amended, from the State of Missouri into the State of Kansas, of a quantity of Dr. A. V. Banes' female pills which were misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of compounds of calcium, magnesium, and iron, including carbonate and sulphate, mercury, capsicum, sugar, and aloes.

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 thereof, appearing on the cartons containing the said article, falsely and fraudulently represented it to be effective as a preventive, treatment, remedy, and cure for disorders of menstruation, nervous headache, pains in back and sides, nervous prostration, general debility, sleeplessness, depression, indigestion, neuralgia, and all scrofulous diseases, and as a treatment for conditions due to change of life, when, in truth and in fact, it was not.

On September 22, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

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

9632. Adulteration and misbranding of ground black pepper. U. S. * * * v. Armour & Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 12466. I. S. No. 5638-r.)

On June 25, 1920, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Armour & Co., a corporation, trading at Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 20, 1919, from the State of Kentucky into the State of Illinois, of a quantity of ground black pepper which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained excessive ash and sand.

Adulteration of the article was alleged in the information for the reason that substances, to wit, mineral matter and sand, 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 ground black pepper, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Ground Black Pepper," borne on the barrel 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 consisted wholly of ground black

pepper, 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 consisted wholly of ground black pepper, whereas, in truth and in fact, it did not so consist, but did consist in part of mineral matter and sand.

On October 22, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

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

**9633. Adulteration and misbranding of cottonseed meal. U. S. * * *
v. Home-Mixture Guano Co., a Corporation. Plea of guilty. Fine,
\$200. (F. & D. No. 12478. I. S. No. 18333-r.)**

On August 21, 1920, the United States attorney for the Northern District of Georgia, 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 Home-Mixture Guano Co., a corporation, Columbus, Ga., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 27, 1918, from the State of Georgia into the State of Maine, of a quantity of cottonseed meal which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 33.75 per cent of protein and 16.75 per cent of crude fiber. Examination by the said bureau showed that it contained approximately 34 per cent of cottonseed hulls.

Adulteration of the article was alleged in the information for the reason that it was a product inferior to good cottonseed meal, to wit, a mixture composed in part of cottonseed hulls, prepared in imitation of good cottonseed meal, and mixed in a manner whereby its inferiority to good cottonseed meal was concealed. Adulteration was alleged for the further reason that cottonseed hulls had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength and had been substituted in part for good cottonseed meal, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Good Cotton Seed Meal * * * Guaranteed Analysis Protein (minimum) 36.00% * * * Crude Fibre (maximum) 14.00% * * * Ingredients: Made from upland cotton seed only," borne on the tags attached to the sacks containing the said article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was good cottonseed meal made from cotton seed only and contained not less than 36 per cent of protein and not more than 14 per cent of crude 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 good cottonseed meal, made from cotton seed only, and contained not less than 36 per cent of protein and not more than 14 per cent of crude fiber, whereas, in truth and in fact, said article was not good cottonseed meal, made from cotton seed only, but was a mixture made in part from cottonseed hulls and contained less than 36 per cent of protein and more than 14 per cent of crude fiber, to wit, 33.75 per cent of protein and 16.75 per cent of crude fiber. Misbranding was alleged for the further reason that the article was a mixture composed in part of cottonseed hulls, prepared in imitation of good cottonseed meal, and was offered for sale and sold under the distinctive name of another article, to wit, good cottonseed meal.

On December 8, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

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