

ordered released to the claimant on the filing of a bond in the sum of \$2,500, conditioned in part that the article be disposed of in conformity with section 10 of the act.

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

7717. Misbranding of Linonine. U. S. * * * v. 18 Bottles, More or Less, of Linonine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12436. I. S. No. 16833-r. S. No. E-2091.)

On May 4, 1920, the United States attorney for the Eastern District of Pennsylvania, 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 18 bottles of Linonine, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about February 16, 1920, from Danbury, Conn., consigned by the Kerr Chemical Co., Danbury, Conn., and transported from the State of Connecticut into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an emulsion composed essentially of linseed oil, oils of cinnamon and eucalyptus, methyl salicylate, and glycerin.

Misbranding of the article was alleged in the libel in that statements borne on the bottle containing the article, regarding the article and the ingredients and substances contained therein, to wit, "Pulmonary diseases, Consumption, Chronic Coughs * * * Chronic Bronchitis, The After Effects of La Grippe, Wasting Diseases, Rickets, Scrofula, Whooping Cough, Rheumatic and Strumous Diseases, General Debility, etc. * * * Linonine is unsurpassed as a strengthener, builder, blood renewer, and for affections of the throat and lungs," were false and fraudulent in that the said article would not produce the curative or therapeutic effects which purchasers were led to expect by the statements which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers of the article.

On May 26, 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.*

7718. Adulteration of canned salmon. U. S. * * * v. 900 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12565. I. S. No. 11660-r. S. No. C-1867.)

On March 29, 1920, the United States attorney for the Southern District of Texas, 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 900 cases, each case containing 4 dozen cans of salmon, remaining unsold in the original unbroken packages at Laredo, Tex., alleging that the article had been shipped on or about November 22, 1919, by the Coast Fish Co., Anacortes, Wash., and transported from the State of Washington into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The product was labeled in part, "Antler Brand Salmon Distributed by Kelley-Clarke Co. * * * Seattle, Wash."

Adulteration of the article was alleged in the libel in that it contained filthy, decomposed, and putrid matter and that being so, the article was made deleterious and was of such decomposition as might render the article injurious.

On May 3, 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.*

7719. Adulteration and misbranding of Compound Syrup of the Hypophosphites, Bromo Febrin, Hystoria, and Aromatic Cod Liver Oil Emulsion and misbranding of Red Cross Kidney and Liver Regulator, White Pine and Tar Syrup, and Boro-Thymine. U. S. * * * v. Cal-Sino Co., a Corporation (W. H. Smaw & Co.). Plea of guilty. Fines aggregating \$300 and costs. (F. & D. No. 10893. I. S. Nos. 1742-p, 3567-p, 4856-p, 4857-p, 4858-p, 16026-r, 16027-r.)

On January 31, 1920, the United States attorney for the District of Maryland, 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 Cal-Sino Co., a corporation, trading as W. H. Smaw & Co., Baltimore, Md., alleging shipments by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 21, 1918, February 28, 1918, and June 29, 1918, from the State of Maryland into the States of Florida and Georgia, of quantities of articles, labeled in part "Compound Syrup of the Hypophosphites," "Bromo Febrin," "Hystoria," and "Aromatic Cod Liver Oil," which were adulterated and misbranded, and "Red Cross Kidney and Liver Regulator," "White Pine and Tar Syrup," and "Boro-Thymine," which were misbranded.

Analysis of samples of the Compound Syrup of the Hypophosphites by the Bureau of Chemistry of this department showed that it contained no ferric hypophosphites nor glycerin, only traces of hypophosphites of calcium and manganese, and 5.7 grams of quinine per 1,000 mls.

Adulteration of the article was alleged in the information in that it was sold under and by a name recognized in the National Formulary and then and there differed from the standard of strength, quality and purity as determined by the tests laid down in said National Formulary, official at the time of the investigation of the article, in that in 1 liter of the article there was only a trace, if any, of calcium hypophosphite, no ferric hypophosphite, only a trace, if any, of manganese hypophosphite, 5.7 grains of quinine, and no glycerin, whereas said National Formulary provides that the said article should contain 35 grams of calcium hypophosphite, 2.25 grams of ferric hypophosphite, 2.25 grams of manganese hypophosphite, 1.1 grams of quinine and 50 mls of glycerin per liter, and the standard of the strength, quality, and purity of the said article was not declared on the container thereof.

Misbranding of the article was alleged in the information in that it was a product which contained only a trace, if any, of calcium hypophosphite, no ferric hypophosphite, only a trace, if any, of manganese hypophosphite, 5.7 grams of quinine, and no glycerin per liter, prepared in imitation of compound sirup of hypophosphites, a product which contains 35 grams calcium hypophosphite, 1.1 grams quinine and 50 mls of glycerin per liter, and was offered for sale and sold under the name of another article, to wit, compound sirup of the hypophosphites. Misbranding of the article was further alleged in the information in that the labels on the bottles containing the article bore statements which were false and fraudulent in that they were applied to the article knowingly and in a reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers thereof, the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a treatment, remedy, and cure for consumption,