7965. Adulteration and misbranding of alleged gelatin. U. S. * * * v. 1 Barrel of Alleged Gelatin. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10698. I. S. No. 5634–r. S. No. C–1319.)

On June 24, 1919, the United States attorney for the Northern District of Illinois, 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 1 barrel of alleged gelatin, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on March 1, 1919, by The J. O. Whitten Co., Winchester, Mass., and transported from the State of Massachusetts into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that the article was composed of a certain substance, to wit, glue, which said substance, containing excessive amounts of arsenic and mercury, had been substituted for gelatin which the said article purported to be. Further adulteration was alleged in that a certain substance, to wit, glue, containing excessive amounts of arsenic and mercury, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength. Further adulteration of the article was alleged in that the said article contained added poisonous and deleterious ingredients, to wit, arsenic and mercury, which might render the article injurious to health.

Misbranding of the article was alleged in that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On August 9, 1919, The J. O. Whitten Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

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

7966. Adulteration and misbranding of mustard. U. S. * * * v. 250 Cases of Mustard. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10699. I. S. No. 7042–r. S. No. C–1318.)

On June 23, 1919, the United States attorney for the Eastern District of Missouri, 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 250 cases of mustard, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about May 6, 1919, by R. J. Meguiar, Greenville, Ohio, and transported from the State of Ohio into the State of Missouri, in violation of the Food and Drugs Act. The article was in part labeled, "Elk Brand Prepared Mustard Colored and flavored with turmeric."

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

Misbranding of the article was alleged in that the statements on the labels on the packages containing the article, regarding the article, to wit, "Elk Brand Prepared Mustard Colored" and "flavored with turmeric," were false and fraudulent.

On April 27, 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.*