7002. Adulteration and misbranding of olive oil. U. S. * * * v. 3 Cases of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9539. I. S. No. 6901-r. S. No. C-1020.)

On December 19, 1918, the United States attorney for the District of Minnesota, 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 3 cases of olive oil, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on or about October 10, 1918, by the Italo American Distilling Co., Chicago, Ill., and transported from the State of Illinois into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Termini Imerese Finest Quality Olive Oil."

Adulteration of the article was alleged in the libel for the reason that it consisted largely of cottonseed oil, and for the further reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for olive oil.

Misbranding of the article was alleged in substance for the reason that the statement borne on the label of the cans, to wit, "Termini Imerese Finest Quality Olive Oil," was false and misleading, and deceived and misled the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil, and for the further reason that it purported to be a foreign product, when, in truth and in fact, it was a product of domestic origin.

On April 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7003. Misbranding of Hall's Texas Wonder. U. S. * * * v. 26 Bottles of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9540. I. S. No. 2131-r. S. No. W-261.)

On December 16, 1918, the United States attorney for the Northern District of California, 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 26 bottles of Hall's Texas Wonder, remaining unsold in the original unbroken packages at San Francisco, Cal., consigned by E. W. Hall, St. Louis, Mo., alleging that the article had been shipped on or about February 23, 1918, or April 22, 1918, and transported from the State of Missouri into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Examination of a sample of the article from a previous shipment by the Bureau of Chemistry of this department showed it to consist essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged for the reason that it was labeled "The Texas Wonder Hall's Great Discovery for Kidney and Bladder Trouble, Diabetes, Weak and Lame Backs, Rheumatism, Dissolves Gravel, Regulates Bladder Trouble in Children. One small bottle is two months' treatment," whereas the contents of the bottles were not capable of producing the therapeutic effects claimed on the label.

On January 11, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.