

demnation of 35 bottles of Pabst's Okay Specific, remaining unsold in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped on or about April 15, 1919, by the Pabst Chemical Co., Chicago, Ill., and transported from the State of Illinois into the State of Virginia, and charging misbranding under the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of oils and plant extractives, including copaiba, cubeb, and buchu, sugar, water, and alcohol.

Misbranding of the article was alleged in the libel in substance for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circular accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, gleet, urethritis, and chronic mucous discharges, whereas, in truth and in fact, it was not.

On December 18, 1919, no claimant having appeared for the property, a decree 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.*

**8193. Adulteration and misbranding of tomato catsup. U. S. \* \* \* v. 300 Cases of 8-Ounce Bottles and 300 Cases of 16-Ounce Bottles of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10380. I. S. Nos. 5540-r, 5541-r. S. No. C-1247.)**

On June 4, 1919, the United States attorney for the Western District of Wisconsin, 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 a quantity of tomato catsup, remaining unsold in the original unbroken packages at Superior, Wis., alleging that the article had been shipped on or about January 20, 1919, by H. N. Weller & Co., Almont, Mich., and transported from the State of Michigan into the State of Wisconsin, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Belle Meade Brand Tomato Catsup \* \* \* Net weight 8 oz. av. Made by H. N. Weller & Co. Almont, Mich. Only First Class Goods Are Prepared Under This Brand" and "Perfection Brand Tomato Catsup \* \* \* Packed by H. N. Weller & Co., Toledo, O. 16 Oz. Only First Class Goods Are Prepared Under This Brand" (2 red tomato clusters).

Analyses of samples of the product by the Bureau of Chemistry of this department showed that it was partially decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted largely of a filthy, decomposed, and putrid vegetable substance.

Misbranding of the article was alleged for the reason that the labeling on the bottles was false and misleading and calculated to deceive and mislead the purchaser thereof, in that the article consisted largely of a filthy, decomposed, and putrid vegetable substance. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale and sold under the distinctive name of, another article.

On October 16, 1919, no claimant having appeared for the property, a default decree 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.*