

and fraudulently represented the article to be effective as a permanent relief for habitual constipation, gastric disorders, and indigestion, whereas, in truth and in fact, it was not effective.

On June 24, 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.*

S347. Adulteration and misbranding of tomatoes. U. S. * * * v. 550 Cases of Blue Dot Tomatoes and U. S. * * * v. 124 Cases of Blue Dot Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 11877, 11878. I. S. Nos. 9196-r, 9197-r. S. No. C-1674.)

On January 13, 1920, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of a certain article, labeled in part "Blue Dot Tomatoes * * * Packed by Winfield Webster & Co., Main Office, Vienna, Md.," at Gulfport, Miss., alleging that the article had been shipped on or about September 11, 1919, by Winfield Webster & Co., Vienna, Md., and transported from the State of Maryland into the State of Mississippi, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that tomato pulp had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength. Further adulteration was alleged in that tomato pulp had been substituted in part for the article.

Misbranding of the article was alleged in that the statement, "Blue Dot Tomatoes," was false and misleading and deceived and misled the purchaser. Further misbranding was alleged in that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On June 8, 1920, Winfield Webster & Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

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

S348. Misbranding of Stillwagon's Medicated Stock Food. U. S. * * * v. 5 Packages, 24 Ounces Each, and 5 Packages, 64 Ounces Each, of Stillwagon's Medicated Stock Food. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12517. I. S. No. 9266-r. S. No. C-1833.)

On March 18, 1920, the United States attorney for the Southern 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 5 packages, 24 ounces each, and 5 packages, 64 ounces each, of Stillwagon's Medicated Stock Food, remaining in the original unbroken packages at Bunker Hill, Ill., alleging that the article had been shipped by the Stillwagon Food Mfg. Co., St. Louis, Mo., on or about January 3, 1920, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (carton) "* * * Stillwagon's Food * * * For all diseases arising from indigestion and impure blood; also a preventative for Hog Cholera. * * * Scours in Calves * * * An Invaluable Remedy in