

seizure and condemnation of 175 barrels of apples, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by Samuel Rinelli, Lockport, N. Y., on or about August 31, 1922, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "New York Standard A. Grade \* \* \* Samuel Rinelli, Lockport, N. Y., Maiden Blush, New York State S. R. Apples."

Misbranding of the article was alleged in the libel for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On October 2, 1922, Samuel Rinelli, Lockport, N. Y., having appeared and filed an answer to the libel admitting the material allegations of the said libel, judgment of the court was entered ordering that the product be released to Comella & Badali, Pittsburgh, Pa., upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, by said Samuel Rinelli, in conformity with section 10 of the act, conditioned in part that it be re-branded to the satisfaction of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11090. Adulteration of oysters. U. S. v. LeRoy Marvin Langrall, Ernest Hooper Langrall, and Harrison Morton Langrall (Baltimore Canning Co.). Pleas of guilty. Fine, \$150 and costs. (F. & D. No. 16408. I. S. No. 6035-t.)**

On November 8, 1922, 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 LeRoy Marvin Langrall, Ernest Hooper Langrall, and Harrison Morton Langrall, copartners, trading as the Baltimore Canning Co., Baltimore, Md., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about November 3, 1921, from the State of Maryland into the State of Pennsylvania, of a quantity of oysters which were adulterated. The article was labeled in part: "From Baltimore Canning Co. Old Scout Brand Oysters Baltimore Maryland."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been substituted in part for the said article.

On November 8, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$150 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11091. Misbranding of Parry's vegetable compound. U. S. v. 4 Bottles of No. 6 and 2 Bottles of No. 1 Parry's Vegetable Compound. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14455. I. S. No. 2485-t. S. No. C-2798.)**

On February 17, 1921, the United States attorney for the District of Indiana, 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 4 bottles of No. 6 and 2 bottles of No. 1 Parry's vegetable compound, remaining in the original unbroken packages at Elwood, Ind., alleging that the articles had been shipped by the Parry Medicine Co., Pittsburgh, Pa., on or about July 30, 1920, and transported from the State of Pennsylvania into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: (Both products) "All goods guaranteed under the Pure Food and Drugs Act, June 30, 1906;" (Parry's Vegetable Compound No. 6) "Cancer \* \* \* for Eczema, Pimples, Skin Disease, Scalds, Burns and Smallpox;" (Parry's Vegetable Compound No. 1) "Cancer \* \* \* for Tuberculosis, Lungs, Bones or Flesh, Gallstones or Tapeworm."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they consisted of olive oil, alcohol, and water, flavored with various essential oils.

Misbranding of the articles was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling were false and misleading, and for the further reason that the said statements, with