

**11189. Adulteration of shell eggs. U. S. v. 380 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16828. I. S. No. 3936-v. S. No. C-8798.)**

On August 31, 1922, 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 380 cases of eggs, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Hastings Poultry Co., Hastings, Nebr., August 19, 1922, and transported from the State of Nebraska into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On September 7, 1922, the Omaha Cold Storage Co., Chicago, Ill., claimant, having admitted the allegations of the libel and 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 said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the eggs be candled under the supervision of this department, the bad portion destroyed and the good portion delivered to the claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11190. Adulteration and misbranding of kidney beans. U. S. v. 59 Cases of Kidney Beans. Default decree ordering destruction of the product. (F. & D. Nos. 12192, 12193, 12194, 12195. I. S. Nos. 17460-r, 17461-r, 17462-r, 17463-r, 17464-r. S. No. E-1988.)**

During the month of February, 1920, the United States attorney for the Northern District of West Virginia, 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 59 cases of kidney beans, remaining unsold in the original packages at Wheeling, W. Va., alleging that the article had been shipped by the Marshall Canning Co., Marshalltown, Iowa, on or about December 15, 1919, and transported from the State of Iowa into the State of West Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Uncle William Brand Red Kidney Beans \* \* \* Packed by Marshall Canning Co. Marshalltown, Iowa, U. S. A."

Adulteration of the article was alleged in the libel for the reason that long cranberry beans had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement on the label, "Red Kidney Beans," was false and misleading and deceived and misled the purchaser when applied to a product consisting of long cranberry beans. Misbranding was alleged for the further reason that the article was an imitation of and sold under the distinctive name of another article.

On December 6, 1922, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11191. Adulteration and misbranding of salad oil. U. S. v. 60 Gallon Cans and 24 Half-Gallon Cans of Salad Oil. Default decree of condemnation and forfeiture. Product delivered to charitable institution. (F. & D. No. 15280. I. S. Nos. 6941-t, 6942-t. S. No. E-3489.)**

On July 29, 1921, the United States attorney for the Eastern District of New York, 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 60 gallon cans and 24 half-gallon cans of salad oil, remaining unsold in the original unbroken packages within the Borough of Richmond, N. Y., alleging that the article had been shipped by the Littauer Oil Co., Guttenberg, N. J., on or about June 17, 1921, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "One Gallon" (or "One Half Gallon") "Joan of Arc Brand \* \* \* A Pure Salad Oil Blended With Pure Olive Oil \* \* \* Better Than Olive

Oil \* \* \* For Mayonnaise Salad Dressing \* \* \* Littauer Oil Co. Guttenberg, N. J.”

Adulteration of the article was alleged in the libel for the 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 wholly or in part for the said article, and for the further reason that it was mixed in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statement on the label, “Blended With Pure Olive Oil,” was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On October 13, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and on February 16, 1922, it was ordered by the court that the product be delivered to a charitable institution.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11192. Adulteration of kidney beans. U. S. v. 746 Bags and 1,078 Bags Containing Beans. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. No. 15812. S. No. E-3824.)**

On March 28, 1922, the United States attorney for the Eastern District of New York, 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 1,824 bags containing beans, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped from Bombasa, British East Africa, in part on or about February 25 and in part on or about April 20, 1920, and transported from a foreign country into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: “Kidney Beans.”

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

On August 24 and September 21, 1922, respectively, the Standard Bank of South Africa, Ltd., and the Park Union Foreign Banking Corporation, both incorporated under the laws of the State of New York, having entered appearances as claimants for respective portions of the property, and having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$750, in conformity with section 10 of the act, conditioned in part that such product be used for hog feed only.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11193. Misbranding of Syrup Leptinol. U. S. v. 20 Bottles of Syrup Leptinol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16090. S. No. C-3510.)**

On April 10, 1922, 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 20 bottles of Syrup Leptinol, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Balsamea Co., San Francisco, Calif., on or about July 28, 1920, and transported from the State of California into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle and wrapper) “Indicated In Epidemic Influenza \* \* \* Bronchial Asthma, Whooping Cough;” (booklet) “Indicated In Pulmonary Tuberculosis Influenza Pneumonia Bronchial Asthma \* \* \* Whooping Cough Laryngitis.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of extract of *Leptotania dissecta*, sugar, glycerin, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects of the said article were false and fraudulent since it contained no ingredient or combination of ingredients capable of producing the effects claimed.