

diseases. * * * D-O-D when brought to steam or vapor and inhaled will kill the bacteria and poison in the nasal ducts, throat, bronchial tubes, and lungs, thereby giving almost immediate relief from Colds, Sore Throat, Bronchitis, Catarrh, Hay Fever, Grippe, Headache and Influenza. By killing the poison which causes these diseases, nature will quickly restore the affected parts to normal strength. * * * Diabetes * * * Shingles * * * Barbers Itch * * * Dandruff * * * Asthma * * * continue until recovery is complete. * * * heal all kinds of skin diseases * * * diabetic gangrene * * * stomach troubles," were false and fraudulent, in that by reason of the said statements the article purported to be a cure for the said diseases, disorders, and symptoms, whereas it contained no ingredients capable of producing the curative and therapeutic effects claimed.

On July 15, 1923, 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.

HOWARD M. GORE, *Secretary of Agriculture*

12771. Adulteration and misbranding of prepared mustard. U. S. v. 63 Barrels of Prepared Mustard. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18595. I. S. No. 15092-v. S. No. E-4805.)

On April 18, 1924, 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 a libel praying the seizure and condemnation of 63 barrels of prepared mustard, remaining in the original unbroken packages at Baltimore, Md., consigned March 25, 1924, alleging that the article had been shipped by J. P. Smith & Co., from New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Barrel) "48 Gallon Prepared Mustard Compound Mustard Seed Mustard Bran, Turmeric Spices Salt & Vinegar."

Adulteration of the article was alleged in the libel in that a substance, added mustard bran, mixed and colored in a manner whereby damage or inferiority was concealed, had been mixed and packed with the said article so as to reduce, lower, or injuriously affect its quality and strength and had been substituted wholly or in part for the article.

Misbranding was alleged for the reason that the statement appearing in the labeling, "Prepared Mustard," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On May 8, 1924, Helwig & Leitch, Baltimore, Md., having appeared as claimant for the property, judgment of condemnation 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 \$900, in conformity with section 10 of the act, conditioned in part that it be relabeled to show its content of mustard bran.

HOWARD M. GORE, *Secretary of Agriculture.*

12772. Adulteration of coal-tar color. U. S. v. 102 Pounds of Coal Tar. Decree of condemnation, forfeiture, and destruction. (F. & D. No. 14815. I. S. Nos. 4493-t, 4494-t. S. No. C-2981.)

On April 23, 1921, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 102 pounds of coal-tar color, at Tyler, Tex., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., September 14, 1920, and transported from the State of Missouri into the State of Texas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "W. B. Wood Mfg. Co., St. Louis, Mo. Complies With All Requirements Quality Color Warranted * * * Number 10 Contents Red" (or "Number 1010 Contents Purple").

Adulteration of the article was alleged in the libel for the reason that sodium chloride and sodium sulphate had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that it contained an added poisonous or deleterious ingredient, arsenic, which might render such article injurious to health.

On April 29, 1924, no claimant having appeared for the property, after submission of evidence by the Government, a judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Secretary of Agriculture.*

12773. Adulteration of canned sardines. U. S. v. 50 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17985. I. S. Nos. 1976-v, 2159-v. S. No. B-4566.)

On November 8, 1923, the United States attorney for the Western 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 praying the seizure and condemnation of 50 cases, each containing 100 cans of sardines, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by L. D. Clark & Son, from Eastport, Me., on or about October 13, 1923, and transported from the State of Maine into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Banquet Brand American Sardines In Cotton Seed Oil Packed by L. D. Clark & Son, Eastport, Maine."

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

On October 15, 1924, 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.

HOWARD M. GORE, *Secretary of Agriculture.*

12774. Misbranding of butter. U. S. v. 3 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18983. I. S. No. 20174-v. S. No. W-1547.)

On August 8, 1924, 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 praying the seizure and condemnation of three cases of butter at San Francisco, Calif., alleging that the article had been shipped by the Western Meat Co., from San Francisco, Calif., July 26, 1924, and transported from the State of California into the Territory of Hawaii (returned by the consignor to San Francisco), and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Parkdale Brand Creamery Butter 1 Pound Net Weight Distributed by Western Meat Co., San Francisco."

Misbranding of the article was alleged in the libel for the reason that the statement "1 Pound Net Weight" was false and misleading and deceived and misled the purchaser, and for the further 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.

On October 8, 1924, the Western Meat Co., San Francisco, Calif., 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 said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that it be brought into compliance with the law under the supervision of this department.

HOWARD M. GORE, *Secretary of Agriculture.*

12775. Adulteration and misbranding of lemon extract. U. S. v. Shepard Baking Powder Co., a Corporation. Plea of nolo contendere. Fine, \$100. (F. & D. No. 15575. I. S. No. 177-t.)

On January 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 an information against the Shepard Baking Powder Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the food and drugs act, on or about June 21, 1921, from the State of Missouri into the State of Illinois, of a quantity of lemon extract which was adulterated and misbranded. The article was labeled in part: (Bottle) "Keystone Brand Terpeneless Lemon Extract * * * Manufactured by Shepard Baking Pwd. Co. St. Louis."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a dilute terpeneless extract of lemon, deficient in citral.