

ted Analysis Protein 60%," borne on the labels of the respective articles, were false and misleading, in that the said statements represented that the articles contained 50 per cent, 55 per cent, or 60 per cent, of protein, as the case might be, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they contained 50 per cent, 55 per cent, or 60 per cent, of protein, as the case might be, whereas the articles did not contain the said respective amounts of protein but did contain less amounts.

On July 20, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed judgment in the amount of \$25, which included fine and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13727. Adulteration of oranges. U. S. v. 36 Crates of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18661. I. S. No. 2432-v. S. No. E-4828.)

On May 7, 1924, 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 36 crates of oranges, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by S. J. Sligh & Co., from Erie, Pa., on or about April 19, 1924, and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Florida Oranges Elk Trade Mark * * * S. J. Sligh & Co., Orlando, Fla. Lake Griffin."

Adulteration of the said oranges was alleged in the libel for the reason that they consisted in whole or in part of worthless tree-dried oranges which had been substituted for the said article.

On May 31, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13728. Misbranding of Avalon distemper and cold compound. U. S. v. 4 Bottles of Avalon Distemper and Cold Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15555. S. No. E-3842.)

On November 10, 1921, 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 4 bottles of Avalon distemper and cold compound, remaining in the original unbroken packages at Addison, N. Y., consigned by the Avalon Farms Co., alleging that the article had been shipped from Chicago, Ill., on or about August 4, 1921, and transported from the State of Illinois into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was composed essentially of ammonium chloride, iron chloride, glycerin, mydriatic alkaloid, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the following statements, borne on the labels of the bottles containing the said article, and in the accompanying circular: (Bottle label) "Distemper * * * Compound * * * Recommended for * * * strangles distemper or shipping fever" (circular) "Distemper * * * Compound * * * Distemper * * * shipping fever and colt-ill * * * Strangles * * * give Avalon Farms Distemper And Cold Compound * * * until the aggravating symptoms subside, after which a dose three times a day is sufficient until recovery is complete" were false, misleading, and fraudulent, in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed on the said bottle labels and circulars.

On May 29, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*