Court of the United States for said district libels praying the seizure and condemnation of 11 bottles of Craemer's celebrated compound and 9 bottles of Craemer's calculus corrective, remaining in the original unbroken packages at Terre Haute, Ind., alleging that the articles had been shipped from the William Craemer Medicine Co., St. Louis, Mo., the former on or about April 4, 1922, and the latter on or about December 15, 1921, and that the said articles had been transported from the State of Missouri into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The Craemer's celebrated compound was labeled in part: (Bottle and carton) "For * * * Gall Stones, Stones in the Kidneys, Stones in the Urinary Bladder, Liver, Kidney, Bladder, Stomach and Bowel Complaints * * * Thickened Bile, Bilious Colic * * * Sallow Complexion, Dizziness, Renal or Kidney Colic * * * Painful Urination, Loss of Appetite." The Craemer's calculus corrective was labeled in part: (Bottle and carton) "Calculus Corrective * * * for Gall Stones, Stones in the Kidneys, Stones in the Urinary Bladder or Gravel * * * Sallow Complexion;" (bottle) "During an attack of Gall Stone Colic, take * * * every 2 or 3 hours. * * * the persistent use of the remedy will prevent the formation of the various Calculi or Stones named."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that each was an aqueous solution of sodium, potassium, ammonium, and lithium phosphate, citrate, salicylate, and chloride and extract of ginger, sweetened with saccharin and colored with caramel.

Misbranding of the articles was alleged in substance in the libels for the reason that the above-quoted statements appearing in the labeling, regarding the curative or therapeutic effects of the said articles, were false and fraudulent, in that the articles did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 21, 1922, no claimant having appeared for the property, judgment of the court was entered, with respect to the Craemer's celebrated compound, finding it to be misbranded and ordering its destruction by the United States marshal. On the same date, no claimant having appeared for the Craemer's calculus corrective, a decree of condemnation was entered with respect to the said product, and it was ordered by the court that it be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11742. Adulteration and misbranding of extract of lemon, extract of vanilla, and fruit powders. U. S. v. Yerkes Chemical Co., Inc., a Corporation. Plea of guilty. Fine, $25 and costs. (F. & D. No. 16415. I. S. Nos. 8297–t, 8298–t, 8300–t, 9094–t, 9095–t, 9098–t.)

On December 4, 1922, the United States attorney for the Western District of North Carolina, 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 Yerkes Chemical Co., Inc., a corporation, Winston-Salem, N. C., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, in various consignments, on or about the respective dates of July 20 and 29, 1921, from the State of North Carolina into the State of Virginia, of quantities of extract of lemon, extract of vanilla, and fruit powders which were adulterated and misbranded. The articles were labeled in part as follows: (Lemon extract) (bottle) "Yerkes Brand * * * Pure Ext Lemon Max. Alcohol 85% * * * 6 Drs. * * * Yerkes Chemical Company Inc. * * * Winston-Salem, N. C.," (carton) "Superior Strength And Rich Aromatic Qualities;" (vanilla extract) (bottle) Yerkes Brand Pure Ext. Vanilla Max. Alcohol 60% * * * Yerkes Chemical Co., Inc.," (carton) "Superior Strength And Rich Aromatic Qualities;" (fruit powders) "Yerkes 'Sure Keep' Fruit Powders (Contains 80 Per Cent Salicylic Acid) * * * Yerkes Chemical Co."

Analyses by the Bureau of Chemistry of this department of samples taken from each of the four consignments of the extract of lemon showed that the product in three of the samples was deficient in lemon oil and citral and contained less alcohol than declared on the label, and that the remainder was not a concentrated extract but was deficient in citral and contained less alcohol than declared on the label. Analysis of a sample of the extract of vanilla by said bureau showed that it was not a concentrated extract and that it was deficient in alcohol. Analysis of a sample of the fruit powders by said bureau showed that it contained 99.8 per cent of salicylic acid.

Adulteration was alleged with respect to the product involved in three of the consignments of the extract of lemon because a dilute lemon extract, deficient in lemon oil and citral, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for pure extract of lemon, which the article purported to be. Adulteration was alleged for the further reason that the article had been mixed in a manner whereby its inferiority was concealed. Adulteration was alleged with respect to the product involved in the remaining consignment of the extract of lemon and the extract of vanilla because a product deficient in alcohol and other than pure concentrated extract of lemon or vanilla, as the case might be, of superior strength and rich aromatic qualities, had been substituted in whole or in part for the said articles.

Misbranding was alleged in substance with respect to the extracts of lemon and vanilla because the statements, to wit, "Pure Ext Lemon Max. Alcohol 85% * * * 6 Drs.," "Pure Extract Lemon * * * Superior Strength And Rich Aromatic Qualities," "Max. Alcohol 85%," "Pure Concentrated Extract Lemon," and "Max. Alcohol 60%," "Pure Concentrated Extract Vanilla," "Superior Strength and Rich Aromatic Qualities," appearing on the bottles and cartons containing the respective articles, were false and misleading in that they represented that the articles were pure concentrated extracts of lemon or vanilla, as the case might be, that the articles contained the proportions of alcohol indicated by the said statements, that a portion of the extract of lemon contained a larger percentage by volume of oil of lemon than the customary 5 per cent by volume lemon extract, and that the bottles containing the said portion of the extract of lemon contained 6 drams each by volume, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they were pure concentrated extracts of lemon or vanilla, as the case might be, that they contained the proportions of alcohol indicated by the said statements, that a portion of the extract of lemon contained a larger percentage by volume of oil of lemon than the customary 5 per cent by volume lemon extract, and that the bottles containing the said portion contained 6 drams each by volume, whereas the said articles were products other than pure extracts of lemon or vanilla, as the case might be, and contained less than the proportions of alcohol indicated, a portion of the said extract of lemon contained less than 5 per cent by volume of oil of lemon, and the net contents of the bottles containing the said portion was less than 6 drams by volume. Misbranding was alleged with respect to the product involved in all of the consignments of the extract of lemon 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.

Adulteration was alleged with respect to the fruit powders because it contained an added deleterious ingredient, to wit, salicylic acid, which might render it injurious to health.

Misbranding was alleged in substance with respect to the fruit powders because the statement, to wit, "Fruit Powders," in large type, and the statement, "(Contains 80 Per Cent Salicylic Acid)," in small inconspicuous type, borne on each of the packages containing the article, were false and misleading in that they represented that the article was powdered fruit and that it contained only 80 per cent of salicylic acid, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was an article prepared of fruit powder and salicylic acid and that it contained only 80 per cent of salicylic acid, whereas, in truth and in fact, it contained approximately 99.8 per cent of salicylic acid and contained no fruit powder.

Misbranding was alleged with respect to all the products involved in the various consignments for the further reason that they were imitations of and offered for sale under the distinctive names of other articles.

On June 6, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $25 and costs.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11743. Misbranding of chloroform. U. S. v. 200 Cans, et al., of Chloroform. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16493, 16494. S. Nos. C–3668, C–3669.)

On July 1, 1922, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court