

days my kidneys began to work, and a day later I had a good bowel action. I then went in for Vitalitas for all it was worth. After ten days I was able to go to my place of business. People everywhere would stop me and say, "Why, you have come back to life." My dropsy has entirely disappeared. I am now a well man. I have color in my cheeks. Vitalitas is wonderful.' The effects of Vitalitas on weak kidneys is immediate and beneficial. * * * Vitalitas will be found speedily effective for Lucorrhoea and other female complaints," which statements were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On February 10, 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, *Acting Secretary of Agriculture.*

11841. Misbranding of olive oil. U. S. v. 67 Quarter-Gallon Cans and 22 Half-Gallon Cans of Olive Oil. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15540. I. S. Nos. 11165-t, 11166-t. S. No. W-1023.)

On November 15, 1921, the United States attorney for the District of Colorado, 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 67 quarter-gallon cans and 22 half-gallon cans of olive oil, remaining unsold in the original unbroken packages at Pueblo, Colo., consigned by Deligiannis Bros., Chicago, Ill., alleging that the article had been shipped from Chicago, Ill., on or about July 27 and 28, 1921, respectively, and transported from the State of Illinois into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Prodotti Italiani Olio di Oliva Pure Olive Oil Sopraffino * * * Italia Brand * * * Lucca Toscana * * * Net Conts. $\frac{1}{4}$ Gall." (or "Net Contents $\frac{1}{2}$ Gall.").

Misbranding of the article was alleged in the libel for the reason that the statement, to wit, "Net Conts. $\frac{1}{4}$ Gall.," appearing on each of the said quarter-gallon cans, and the statement, to wit, "Net Contents $\frac{1}{2}$ Gall.," appearing on each of the said half-gallon cans, were false and misleading and deceived and misled the purchaser in that the net contents of the said cans was less than one-quarter gallon and one-half gallon, respectively. Misbranding was alleged for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 26, 1923, James Liapes, Pueblo, Colo., 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 \$300, in conformity with section 10 of the act.

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

11842. Adulteration and misbranding of canned oysters. U. S. v. 100 Cases, et al., of Oysters. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 16662, 16728. I. S. Nos. 6602-v, 6607-v. S. Nos. C-3725, C-3762.)

On July 25 and August 10, 1922, respectively, the United States attorney for the Eastern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 157 cases of canned oysters, consigned by the Hilton Head Packing Co., Savannah, Ga., remaining unsold in the original unbroken packages at Cairo, Ill., alleging that the article had been shipped from Savannah, Ga., in part on or about February 28 and in part April 8, 1922, and transported from the State of Georgia into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: (Shipping case) "Hilton Head Brand Oysters Packed By Hilton Head Packing Company, Savannah, Georgia;" (can) "Fox Brand * * * Contents 5 Oz. Avd. * * * Cove Oysters," (imprinted on end of can) "5 Ounces Oysters." The remainder of the article was labeled in part: (Can) "Stag Brand * * * Cove Oysters Net Weight 5 Oz."