

District Court of the United States for said district a libel praying the seizure and condemnation of 1,237 cartons of butter, remaining unsold in the original unbroken packages at Shreveport, La., alleging that the article had been shipped by the Mistletoe Creameries, Fort Worth, Tex., on or about July 11 and 16, 1923, and transported from the State of Texas into the State of Louisiana, and charging misbranding in violation of the food and drugs act, as amended. The article was labeled in part: (Print) "Mistletoe Creamery Butter * * * Mistletoe Creameries * * * Fort Worth, Texas One Pound Net."

Misbranding of the article was alleged in the libel for the reason that the labels bore the statement, "One Pound Net," which was false and misleading and deceived and misled the purchaser. 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 October 19, 1923, the Mistletoe Creameries, Fort Worth, Tex., claimant, having admitted the allegations of the libel and taken the product down under bond, judgment of the court was entered, ordering that the claimant pay the costs of the proceedings and that the libel be dismissed.

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

12215. Adulteration and misbranding of sirup. U. S. v. 4 Cases of Sirup. Default decree of condemnation, forfeiture, and sale, with proviso that product might be released under bond if claimant should appear. (F. & D. No. 18302. I. S. No. 20609-v. S. No. W-1475.)

On February 14, 1924, the United States attorney for the District of Wyoming, 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 cases of sirup, remaining unsold in the original unbroken packages at Osage, Wyo., consigned by the Early Coffee Co., Denver, Colo., alleging that the article had been shipped from Denver, Colo., on or about January 29, 1924, and transported from the State of Colorado into the State of Wyoming, and charging adulteration and misbranding in violation of the food and drugs act, as amended. The article was labeled in part: (Can) "T. J. E. Maple Flavored Table Syrup Blended with Cane Sugar * * * Only * * * 'After All None So Good' The Early Coffee Co."

Adulteration of the article was alleged in the libel for the reason that glucose 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 the article.

Misbranding of the article was alleged in substance for the reason that the statement appearing in the labeling, regarding the ingredients and substances contained in the said article, "Maple Flavored Table Syrup Blended with Cane Sugar * * * Only," was false and misleading and deceived and misled the purchaser, in that the article contained glucose. Misbranding was alleged for the further reason that the article was an imitation and was offered for sale under the distinctive name of another article, and for the further reason that it was [food] in package form and the contents was not plainly and correctly stated in terms of weight or measure on the outside of each of said packages.

On March 20, 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 sold by the United States marshal, with the proviso that it might be released to the owner upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

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

12216. Misbranding of salad oil. U. S. v. 49 Cases and 83 Cases of Salad Oil. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. No. 18384. I. S. Nos. 15979-v, 15980-v. S. No. B-4732.)

On February 13, 1924, the United States attorney for the Southern 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 49 cases, each containing 10 1-gallon cans, and 83 cases, each containing 1 5-gallon can of salad oil, at New York, N. Y., alleging that the article had been shipped by the Portsmouth Cotton Oil & Refining Co. [Portsmouth Cotton Oil Refining Corp.], from Portsmouth, Va., on or about January 21, 1924, and transported from the State of Virginia into the State of New York, and charging misbranding in violation of the food and drugs act, as amended. The article was labeled in part: (Can) "One Gallon" (or "Five

Gallons") "Magnolia Brand Pure Salad Oil * * * R. C. Williams & Co. Distributors New York."

Examination of the article by the Bureau of Chemistry of this department showed that the said cans contained less than the quantities declared on the respective labels.

Misbranding was alleged in the libel for the reason that the statements "One Gallon" and "Five Gallons," appearing on the labels of the respective-sized cans, were false and misleading and deceived the purchaser. 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 packages.

On March 15, 1924, R. C. Williams & Co., Inc., New York, N. Y., 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 \$1,500, in conformity with section 10 of the act, conditioned in part that it be emptied into barrels and the cans mutilated or destroyed, under the supervision of this department.

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

12217. Misbranding of Doan's kidney pills. U. S. v. 100 Dozen Packages, et al., of Doan's Kidney Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 18064, 18065, 18066. I. S. Nos. 4173-v, 7088-v, 7089-v. S. Nos. C-4203, C-4204, C-4205.)

On November 20, 1923, 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 libels praying the seizure and condemnation of 231 dozen packages of Doan's kidney pills, at Chicago, Ill., alleging that the article had been shipped by the Foster-Milburn Co., from Buffalo, N. Y., in various consignments, namely, October 30, November 5, and November 10, 1923, respectively, and transported from the State of New York into the State of Illinois, 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 the pills consisted essentially of potassium nitrate, ground plant material, including uva ursi, a resin, a volatile oil such as juniper or turpentine oil, starch, sugar, and talc.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements regarding the curative or therapeutic effect of the said article, appearing in the labeling (box and wrapper) "Kidney Pills * * * acting directly on the * * * Urinary System," (circular, English) "Kidney Pills * * * There are certain trades in which * * * those following such trades are * * * subject to kidney trouble. In such cases, if these pills are indicated * * * increase the dose * * * when relief is noticed, the dose may be reduced * * * a good medicine," (German, Swedish, and Magyar) "If you work hard or if you perform indoor work or any kind of work which strains the kidneys, increase the dose," (Bohemian) "If you work hard or in closed quarters or if you perform work which affects the kidneys, increase the use of the pills," (Italian and Dano Norwegian) "If you do hard work, indoor work or any kind of work which fatigues the kidneys, increase the dose," (Yiddish) "If you work hard and suffer with kidney troubles, take three pills each time until you feel better," (Polish) "If you work hard or indoors or any work which injures the kidneys, take one more, that is, three pills," were false and fraudulent, in that the said statements were applied to the article so as to represent falsely and fraudulently and to create in the minds of purchasers the impression and belief that the article contained ingredients effective as a remedy for the diseases, ailments, and afflictions mentioned upon the said labels, wrappers, and circulars.

On March 31, 1924, no claimant having appeared for the property, judgments of condemnation and forfeiture were 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.*

12218. Misbranding and alleged adulteration of canned salmon. U. S. v. 839 Cases and 378 Cases of Salmon. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 17288, 17289. I. S. Nos. 6102-v, 6105-v. S. Nos. C-3894, C-3896.)

On February 16, 1923, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in