

monia germs to exist. * * * used as an expectorant in bronchitis and Spasmodic Croup * * * an active germicide * * * an antiseptic especially in the treatment of infections of the upper respiratory tract, and * * * in chronic bronchitis and tuberculosis. It has been especially praised in asthma. * * * in the treatment of Asthma and Bronchitis where there is a tendency to dyspnoea (difficult or labored breathing) and bronchial spasm. In chronic bronchitis of aged persons it is particularly salutary. It has been especially useful in the treatment of Whooping Cough and Spasmodic Croup. * * * asserted in the treatment of Catarrhal affections, Coughs, Colds, Croup, Whooping Cough, Asthma, etc.;" (poster) "Stop that Cough, Cold, or Croup, quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Asthma, Whooping Cough. Prevents Pneumonia;" (bottle label) "Quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Congestion, Whooping Cough * * * until relieved * * * For whooping cough and croup * * * Creo-Lyptus should be taken regularly according to directions as long as cough is evident. Inflamed tissues are quickly relieved * * *. For better results in Severe cases."

On October 19, 1928, the Creo-Lyptus Co. (Inc.), having appeared as claimant for the property and having admitted the allegations of the libel, judgment of forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled so as to comply with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16088. Misbranding of butter. U. S. v. 76 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23187. I. S. Nos. 0843, 0844. S. No. 1212.)

On or about September 14, 1928, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 76 cases of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Manning Creamery Co., Manning, Iowa, on or about September 8, 1928, and transported from the State of Iowa into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended. A portion of the article was labeled: (Shipping cases) "Quarters," and invoiced as "705#-1/4# P. W." The remainder of the said article was labeled in part: (Shipping cases) "Quarters," (retail carton) "Pfeifer's Elegant Creamery Butter Quarter Prints One Pound Net Farmers Co-operative Creamery Co."

It was alleged in the libel that the article was misbranded in that the statement "Quarters," appearing on the shipping cases, and the invoicing as "750#-1/4# P. W.," with respect to a portion of the product, and the statements, "Quarters," appearing on the shipping cases and "One Pound Net," appearing on the retail cartons, with respect to the remainder of the product, were 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, since the quantities stated on the packages were not correct.

On September 24, 1928, Gerde, Newman & Co., New Orleans, La., having appeared as claimant for the property and having admitted the allegations of the libel, 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 costs and the execution of a bond in the sum of \$1,500, conditioned in part that it be repacked in half tubs of approximately 32 pounds net weight, and should not be used, sold, or disposed of without having been inspected by a representative of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16089. Adulteration and misbranding of tablets Bacillus bulgaricus. U. S. v. 30 Packages of Tablets Bacillus Bulgaricus. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23109. I. S. No. 0873. S. No. 1203.)

On September 28, 1928, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure

and condemnation of 30 packages of tablets *Bacillus bulgaricus*, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Fairchild Bros. & Foster, New York, N. Y., on or about August 6, 1928, and transported from the State of New York into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, namely, "Tablets of the *Bacillus Bulgaricus*. Contains the true *Bacillus Bulgaricus* * * * preserved in a stable, potent form."

Misbranding was alleged for the reason that the following statements appearing upon and within the packages were false and misleading: (Carton) "Tablet of the *Bacillus Bulgaricus*. Contains the true *Bacillus Bulgaricus* preserved in a stable potent form;" (circular) "Tablet of the *Bacillus Bulgaricus*. Contains the true *Bacillus Bulgaricus* conserved in a stable form * * * It is rigidly standardized, potency guaranteed for the time stamped upon the label."

On November 20, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16090. Misbranding of alfalfa meal. U. S. v. 4 Sacks of Alfalfa Meal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23126. I. S. No. 02661. S. No. 1234.)

On October 8, 1928, 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 seizure and condemnation of 4 sacks of alfalfa meal, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Pecos Valley Alfalfa Mill Co., Hagerman, N. Mex., August 1, 1928, and transported from the State of New Mexico into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Alfalfa Meal 100 Lbs. Net When Packed, Made by The Pecos Valley Alfalfa Mill Company, Hagerman, New Mexico, Guaranteed Analysis: Protein 12%, Fibre 35%, Made From Alfalfa Hay."

It was alleged in the libel that the article was misbranded in that the statements, "Guaranteed Analysis Protein 12%, Fibre 35%," were false and misleading and deceived and misled the purchaser.

On November 12, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16091. Misbranding of poultry greens. U. S. v. 1000 Sacks of Atlas Poultry Greens. Decree of condemnation entered. Product released under bond. (F. & D. No. 23120. I. S. No. 0157. S. No. 1223.)

On October 5, 1928, 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 seizure and condemnation of 1,000 sacks of Atlas poultry greens, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the A. W. Scott Co., from San Francisco, Calif., on or about September 22, 1928, and transported from the State of California into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Atlas Poultry Greens Made from Fancy Ground Alfalfa * * * Guaranteed Analysis—Protein 20% Min., Fibre 18% Max. * * * The A. W. Scott Co., * * * San Francisco, Calif."

It was alleged in the libel that the article was misbranded in that the statements, "Guaranteed Analysis—Protein 20% Min., Fibre 18% Max.," borne on the label, were false and misleading and deceived and misled the purchaser, when applied to a product containing less protein and more fiber than that stated in the labeling.

On November 7, 1928, the A. W. Scott Co., San Francisco, Calif., 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 costs and the execution of a bond in the sum of