One of the samples was subjected to analysis in the Bureau of Chemistry of the Department of Agriculture and the result obtained showed that it consisted essentially of commercial magnesium sulphate (epsom salts) colored with a pink dye.

The statements appearing in the label on the product representing that it was a "skin food," that it would produce a "soft, velvety tint on the roughest of skins," and was "remarkably effective in the treatment of pimples, blackheads, rash, blemishes and sunburn, and chapped skin" were false, misleading, and deceptive in the following particulars: That there is no such thing as a "skin food" separate and apart from a food that nourishes all parts of the body; that the said article and preparation could not possibly be a food under any circumstances; that the chemical analysis thereof showed said article and preparation to be simply commercial magnesium sulphate colored with some pink dye; that the said commercial magnesium sulphate, commonly known as epsom salts, is a mere purgative when taken internally, and when applied externally, as directed by the circular inclosed in each package of said article and preparation, could have no beneficial effect whatever; and that the said pink dye was not a food and in all probability would have poisonous effects.

The Secretary of Agriculture having afforded the manufacturers an opportunity to show any fault or error in the findings of the analyst, and they having failed to do so, the facts were reported to the Attorney-General and the case referred to the United States attorney for the southern district of Ohio, who filed an information against the said defendants with the result hereinbefore stated.

H. W. Wiley,
F. L. Dunlap,
Board of Food and Drug Inspection.

Approved:
W. M. Hays,
Acting Secretary of Agriculture.

Washington, D. C., *August 27, 1908.*

(N. J. 17.)

MISBRANDING OF FLOUR.

(As to place of manufacture and name of manufacturer.)

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 10th day of June, 1908, in the supreme court of the District of Columbia in a proceeding of libel for condemnation of 1,200 sacks of

flour, misbranded as to place of manufacture and name of manufacturer, wherein the United States were libelants and the Orrville Milling Company, Orrville, Ohio, was claimant, said claimant having admitted the allegations of the libel, a decree of forfeiture and condemnation was rendered in substance and in form as follows:

In the Supreme Court of the District of Columbia, holding a district court.

UNITED STATES OF AMERICA, *Libellant*, *vs.* 1,200 SACKS OF FLOUR.	District Docket No. 770.

DECREE FOR CONDEMNATION.

On motion of Daniel W. Baker, esquire, attorney for the libellant, and it appearing to the court that upon libel filed herein a warrant of arrest was duly issued and served on the 18th day of May, 1908, and that by virtue of the said warrant the marshal has seized 1,200 sacks of flour, branded as set out in the petition herein, and inventoried as of the value of $262.50, the said 1,200 sacks of flour having been consigned by the Orrville Milling Company, of Orrville, Ohio, from said Orrville, Ohio, to the Orrville Milling Company, at Washington, D. C., the Sanitary Grocery Company, of Washington, D. C., to be notified, and now being stored in the custody of the said marshal; and it further appearing that the said Orrville Milling Company was duly warned to appear herein on the eighth day of June, 1908, and that due and legal notice and publication was had pursuant to the order herein passed on the 26th day of May, 1908, as appears by proofs of publication of the Washington Star and the Washington Post filed herein, notifying all other persons having any claim, right, or interest herein to appear on the said day to answer the exigencies of the said libel; and the said Orrville Milling Company having defaulted in filing an answer to said libel, but appearing herein by its attorney in fact and agent, Albert D. Brockett, and consenting hereto, and no objection having been signified, it is this 10th day of June ordered, adjudged, and decreed that the said 1,200 sacks of flour, with contents as aforesaid, labeled and branded "Cereta High Grade Patent Flour, The Sanitary Grocery Company, Washington, D. C.," be, and they hereby are, declared to be misbranded in violation of the act of June 30, 1906, as charged in the said libel; and it is further ordered that said 1,200 sacks of flour and the contents thereof be, and they hereby are, condemned and ordered to be disposed of by sale, as prayed for in the said libel and provided for in the said act of June 30, 1906. It is further ordered that the proceeds of said sale, less the legal costs and charges, shall be paid into the Treasury of the United States, and should the proceeds of said sale not equal the costs in the case, it is further ordered that the respondent, the Orrville Milling Company, be, and it hereby is, required to pay the difference between the amount of said costs and the proceeds of said sale. It is provided, however, that upon payment of all the costs in these proceedings, including the costs of hauling, storage, watchman, publication, and all costs incidental to or contracted in these proceedings, and the execution and delivery by the said Orrville Milling Company to the libellant of a good and sufficient bond in the penalty of a thousand dollars, conditioned that the said 1,200 sacks of flour, with contents misbranded as aforesaid, shall not be sold or otherwise disposed of contrary to the provisions of the said act of June 30, 1906, the said marshal shall redeliver the said 1,200 sacks of flour to the said Orrville Milling Company or its agent, in lieu of disposing of them

by sale; the said bond to be filed herein, if at all, on or before the first day of July, 1908.

By the Court.

(Signed) JOB BARNARD, *Justice.*

Filed June 10, 1908.

J. R. YOUNG, *Clerk.*

The case was based on the following facts:

On or about May 14, 1908, an inspector of the Department of Agriculture found in a freight car within the District of Columbia a consignment of flour, consisting of 1,200 sacks labeled and branded "Cereta High Grade Patent Flour. The Sanitary Grocery Company, Washington, D. C." The flour was consigned and shipped by the Orrville Milling Company, of Orrville, Ohio, to the Orrville Milling Company, Washington, D. C., the Sanitary Grocery Company, Washington, D. C., to be notified. In violation of section 8 of the act the flour was misbranded, in that it was labeled in a manner which purported manufacture by the Sanitary Grocery Company at Washington, D. C., whereas, as a matter of fact, the product was manufactured and prepared by the Orrville Milling Company at Orrville, Ohio.

On May 14, 1908, the facts were reported to the United States attorney for the District of Columbia. Libel for seizure and condemnation under section 10 of the act was duly filed in the court aforesaid, upon which seizure was forthwith made and notice given to the claimant, Orrville Milling Company. The said claimant failed to answer or show cause against seizure and confiscation by the United States, whereupon the court judged the flour misbranded as alleged in the label, and on the filing of a good and sufficient bond, in accordance with section 10 of the act and under the provisions of the decree hereinbefore set forth, the goods were duly surrendered to the claimant.

H. W. WILEY,
F. L. DUNLAP,
Board of Food and Drug Inspection.

Approved:
W. M. HAYS,
Acting Secretary of Agriculture.

GTON, D. C., *August 27, 1908.*

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