7315. Adulteration and misbranding of cocoa. U. S. * * * v. 71 Boxes of ½-pound and 273 Boxes of ⅕-pound Packages of Cocoa. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10325. I. S. Nos. 6529–r, 6530–r, 6531–r, 6532–r, 6533–r, 6534–r, 6536–r. S. No. C–1232.)

On May 20, 1919, 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 for the seizure and condemnation of 71 boxes of ½-pound and 273 boxes of ⅕-pound packages of cocoa, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on or about March 21, 1919, by the National Cocoa Mills, New York, N. Y., 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. The article was labeled in part, "My Own Pure Cocoa."

Adulteration of the article was alleged in the libel for the reason that substances had been substituted wholly or in part for the article, to wit, starch to the extent of approximately 46 per cent in the case of the ½-pound packages had been mixed and packed therewith, and in the case of the ⅕-pound packages a mixture of approximately 56 per cent, of which 39 per cent was starch and 17 per cent sugar, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that the article had been mixed in a manner whereby damage or inferiority was concealed.

Misbranding of the article was alleged in substance for the reason that the statement "My Own Pure Cocoa," borne on the label of the packages, was not sufficiently corrected by the inconspicuous statement, "my own cocoa compound," and was false and misleading and deceived and misled the purchasers, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On November 19, 1919, the said National Cocoa Mills, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant for relabeling, upon the payment of the costs of the proceedings and the execution of a bond in the sum of $1,455.14, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7316. Misbranding of Knoxit Globules and Knoxit Liquid. U. S. * * * v. 3 Dozen Bottles of Knoxit Globules and 153 Bottles of Knoxit Liquid. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10329, 10330. I. S. Nos. 2627–r, 2626–r. S. Nos. W–355, W–356.)

On May 20, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Knoxit Globules and 153 bottles of Knoxit Liquid, consigned by the Beggs Mfg. Co., from Gatewood, Ill., remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the articles had been shipped on September 9, 1918, and transported from the State of Illinois into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples made in the Bureau of Chemistry of this department showed that the Knoxit Liquid consisted essentially of zinc acetate, alkaloids of hydrastis, glycerin, and water perfumed with oil of rose, and that the