

On November 12, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

7161. Misbranding of Septicide. U. S. * * * v. Septicide Co., a corporation. Plea of guilty. Fine, \$300. (F. & D. No. 9864. I. S. Nos. 11748-p, 11843-p.)

On August 20, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Septicide Co., a corporation, Milwaukee, Wis., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 28, 1918, and June 10, 1918, from the State of Wisconsin into the States of Michigan and Illinois, respectively, of quantities of an article, labeled in part "Septicide," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the preparation consisted essentially of a dilute aqueous solution containing respectively 0.17 gram and 0.26 gram of sulphur dioxide in 100 cc.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles, falsely and fraudulently represented it as a preventive, treatment, remedy, and cure for old sores, scald head, sore nipples, milk leg, erysipelas, scrofula, face eruptions, eczema, and all skin diseases, cancer, wounds, burns and bruises, sore eyes, catarrh of the head, dyspepsia, catarrh of stomach, disorders of digestion, leucorrhoea, hemorrhoids, diphtheria, croup, bronchitis, coughs, quinsy and all throat diseases, la grippe and colds, diarrhoea, colic, dysentery or cholera morbus, and poison by ivy, diseases of the mouth, canker, dandruff and falling out of hair, when, in truth and in fact, it was not.

On November 7, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$300.

E. D. BALL, *Acting Secretary of Agriculture.*

7162. Adulteration and misbranding of olive oil. U. S. * * * v. 16 Cases, 192 Gallons, and 108 Gallons of Olive Oil. Consent decrees of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 9690, 9699, 9700. I. S. Nos. 14943-r, 13833-r, 13828-r, 13829-r, 13830-r. S. Nos. E-1238, E-1242, E-1240.)

On February 6, 1919, and February 11, 1919, the United States attorney for the Eastern District of Pennsylvania, 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 16 cases, 192 gallons, and 108 gallons of olive oil, consigned by A. Dimino, New York, N. Y., remaining unsold in the original unbroken packages at Philadelphia, Bangor, and Allentown, Pa., alleging that the article had been shipped on or about January 27, 1919, and February 5, 1919, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article in the 2 shipments on January 27, 1919, was labeled in part, "Finest Quality Olive Oil Extra Pure of Termini-Imerese

Sicilia Italia One Gallon Net Guaranteed Absolutely Pure." The article in the shipment on February 5, 1919, was labeled in part, "Vergine. This olive oil is guaranteed to be absolutely pure and is made from the finest selected olives grown on the Italian Riviera * * *," or "Qualite Superiore Puro Tripolitania (picture of Italy and Tripoli, also woman with Italian flag)," or "Finest Quality Olive Oil Extra Pure of Termini-Imerese Italy Sicilia Italia * * * (picture of olive tree)."

Adulteration of the article in one of the shipments on January 27, 1919, was alleged in one of the libels for the reason that a mixture of oils containing little or no olive oil had been mixed and packed therewith and substituted wholly or in part for the article.

Adulteration of the article in the other shipments was alleged for the reason that it purported to be pure olive oil produced in Italy, when, in fact, it consisted wholly or in part of cottonseed oil which had been substituted for olive oil.

Misbranding of the article in one of the shipments on January 27, 1919, was alleged in substance for the reason that the retail packages in which the product was inclosed contained labels which bore certain statements, designs, and devices, regarding the article and the ingredients and substances contained therein, which were false and misleading in that they indicated to the purchaser that the packages contained olive oil, when, in fact, they did not; for the further reason that said article purported to be a foreign product, when not so, and was an imitation of, and was offered for sale under the distinctive name of, another article; and for the further reason that the product was seriously short volumed.

Misbranding of the article in the other shipment on January 27, 1919, was alleged in substance for the reason that the retail packages in which the product was inclosed contained labels which bore certain statements, designs, and devices, regarding the article and the ingredients and substances contained therein, which were false and misleading in that they indicated to the purchaser that the packages contained olive oil, when, in fact, they did not; for the further reason that said article purported to be olive oil, when, as a matter of fact, it consisted largely or wholly of cottonseed oil; for the further reason that it purported to be a foreign product, when not so; for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article; and for the further reason that it was falsely branded as to the country in which it was produced.

Misbranding of the article in the other shipment was alleged in substance for the reason that the retail packages in which the product was inclosed contained labels which bore certain statements, designs, and devices, regarding the article and the ingredients and substances contained therein, which were false and misleading in that they indicated to the purchaser that the packages contained olive oil, when, in fact, they did not; for the further reason that said article purported to be olive oil, when, as a matter of fact, it consisted largely or wholly of cottonseed oil; for the further reason that it purported to be a foreign product, when not so; for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article; for the further reason that it was falsely branded as to the country in which it was produced; and for the further reason that the portion of the product labeled "Vergine Olive Oil" was sold under a name recognized in the United States Pharmacopœia and differed from the standard prescribed by that authority, and its own standard was not stated upon the label.

On February 18, 1919, Salvatore Giaprone, of Philadelphia, Bangor, and Allentown, Pa., claimant, having filed a claim for the property, judgment of

condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the 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 the product should be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7163. Adulteration of Chili peppers. U. S. * * * v. 73 Sacks of Chili Peppers. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 9695, 9696. I. S. Nos. 6298-r, 6296-r, 6297-r. S. Nos. C-1063, C-1064.)

On February 13, 1919, the United States attorney for the Western District of Texas, 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 73 sacks of Chili peppers, at Austin, Tex., alleging that the article had been shipped on or about January 6, 1919, by the Simon Levi Co., Los Angeles, Cal., and transported from the State of California into the State of Texas, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On June 20, 1919, the Walker Properties Association, Austin, Tex., claimant, having filed a claim for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the 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, conditioned in part that the good portion should be released to said claimant, and the unfit portion released should be used in the preparation of animal and chicken feed only.

E. D. BALL, *Acting Secretary of Agriculture.*

7164. Misbranding of dairy feed. U. S. * * * v. International Sugar Feed No. Two Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9798. I. S. No. 15491-p.)

On May 30, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the International Sugar Feed No. Two Co., a corporation, doing business at Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 18, 1918, from the State of Tennessee into the State of Mississippi, of a quantity of an article, labeled in part "International Jewel Dairy Feed," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Moisture -----	10.88
Crude fiber -----	21.04

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Fibre 15%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not more than 15 per cent of fiber, and for the further reason that it