

It was alleged in substance in the libel that the article was misbranded for the reason that the statements, design, and device borne on the labeling of the bottles, regarding the curative and therapeutic effect of said drugs, ingredients, and substances contained therein, were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the curative and remedial therapeutic effects claimed for it upon said label and wrapper.

On December 4, 1918, 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 by the United States marshal.

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

6837. Adulteration and misbranding of pepper. U. S. * * * v. Dwight Edwards Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 9341. I. S. No. 16130-p.)

On November 25, 1918, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Dwight Edwards Co., a corporation, Portland, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about June 30, 1917, from the State of Oregon into the State of Washington, of a quantity of pepper which was adulterated and misbranded. The article was labeled "Pepper Dwight Edwards Company, Portland, Ore.," and bore a sticker reading "Adulterated with Pymia."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results: Microscopical examination and Jumeau's reagent showed the presence of at least 25 per cent (probably more) of ground olive stones, together with pepper tissues.

Adulteration of the article was alleged in the information for the reason that a substance other than pepper, to wit, ground olive pits, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for pepper, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement borne on the label, to wit, "Pepper Adulterated with Pymia," was false and misleading, in that it represented to purchasers thereof that the article was a pepper adulterated with some substance known as pymia, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a mixture of pepper and a substance known as pymia, whereas, in truth and in fact, it consisted of a mixture of pepper and ground olive pits. Misbranding of the article was alleged for the further reason that it was food in package form, and the packages failed to bear a statement on the label thereof of the quantity of their contents in terms of weight, measure, or numerical count.

On December 5, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

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

6838. Adulteration and misbranding of olive oil. U. S. * * * v. John D. Stephanides and Vassilia Touris (S. A. Touris). Plea of guilty. Fine, \$200. (F. & D. No. 9342. I. S. No. 3044-p.)

On December 24, 1918, 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 an information against