

Misbranding of the article was alleged in the libel for the reason that the statements appearing on the labels of the barrels were false and fraudulent in that they represented that the article would produce certain therapeutic effects claimed for it, whereas, in truth and in fact, it would not produce the following therapeutic effects as claimed in said labels, to wit, "for many diseases, including some thought incurable * * * 100% Efficient * * * Cacapon Healing Water * * * for Bright's Disease, Kidney Troubles, Indigestion, Diabetes, Calculi, Rheumatism, Women's Diseases, Stomach Troubles, Dyspepsia, Uric Acid, Gout, Urethral and Uterine Troubles * * * Tonic, Alterative * * * Has cured for Centuries," (and in the testimonial of Dr. Thomas A. Ashby) " * * * rheumatic gout, syphilitic rheumatism, and chronic inflammation."

On August 7, 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 by the United States marshal.

E. D. BALL,

Acting Secretary of Agriculture.

7068. Misbranding of Chili peppers. U. S. * * * v. 107 Sacks of Chili Peppers. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9626. I. S. Nos. 6290-r, 6291-r, 6292-r. S. No. C-1038.)

On January 24, 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 107 sacks of Chili peppers at Austin, Tex., alleging that the article had been shipped on or about November 23, 1918, and December 17, 1918, by J. A. Knapp, Garden Grove, Calif., 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, being moldy and full of worms.

On June 20, 1919, the Walker Properties Association, Austin, Tex., 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 delivered 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 product should be used in the preparation of animal and chicken feed only.

E. D. BALL,

Acting Secretary of Agriculture.

7069. Misbranding of Hall's Texas Wonder. U. S. * * * v. 6 Dozen Packages of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9627. I. S. No. 5935-r. S. No. C-1043.)

On January 23, 1919, the United States attorney for the District of Kansas, 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 6 dozen packages of Hall's Texas Wonder, remaining unsold in the original unbroken packages at Wichita, Kans., alleging that the article had been shipped on or about November 14, 1918, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Kansas, and charging