

7108. Adulteration and misbranding of butter. U. S. * * * v. 2 Boxes of Butter and U. S. * * * v. 5 Boxes of Butter. Consent decrees of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9706. I. S. No. 15464. S. No. E-1244.)

On February 17, 1919, and February 20, 1919, the United States attorney for the District of Maryland, 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 2 boxes and 5 boxes, each containing 60 pounds of butter, consigned on or about February 4, 1919, and January 28, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Fred G. Mansfield Co., London, Wis., and transported from the State of Wisconsin into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The 1-pound retail packages were labeled in part: "* * * This butter is made from pure, sweet cream and on account of its high, rich, delicate flavor, should be kept in a cool place entirely away from vegetables and other like products. * * *."

Adulteration of the article was alleged in each libel for the reason that a substance deficient in milk fat and a substance, water, had been mixed and packed therewith, so as to reduce and lower its quality and strength, and had been substituted wholly or in part for butter made from pure, sweet cream, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the above-quoted labeling was false and misleading and deceived and misled the purchaser into the belief that the article was butter made from pure, sweet cream, whereas it was not, but was a substance deficient in milk fat, and a substance, to wit, water, had been mixed and packed with, and substituted wholly or in part for, butter made from pure, sweet cream, which the article purported to be; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On March 14, 1919, Edgar P. Hibberd, Baltimore, Md., claimant, having appeared and filed his answer to the libel, and the same having been read and considered by the court and due deliberation having been had, judgments of condemnation and forfeiture were 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 bonds in the aggregate sum of \$600, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7109. Adulteration of oranges. U. S. * * * v. 924 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered destroyed. (F. & D. No. 9707. I. S. Nos. 6406-r, 6407-r. S. No. C-1058.)

On February 4, 1919, the United States attorney for the Southern District of Ohio, 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 924 boxes of oranges, consigned on or about January 18, 1919, by the Sutherland Fruit Co., Riverside, Calif., remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of California into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Navels White Cap Brand, packed by Sutherland Fruit Co., California."

Adulteration of the article was alleged in the libel for the reason that it consisted of a decomposed vegetable substance.

On March 22, 1919, the said Sutherland Fruit Co., claimant, having admitted the facts alleged in the libel and consented to a decree, 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.

7110. Adulteration and misbranding of aspirin tablets. U. S. * * * v. 7,000 Tablets of Alleged Aspirin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9708. I. S. No. 7517-r. S. No. C-1074.)

On February 18, 1919, the United States attorney for the Northern District of Illinois, 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 7 packages, each containing 1,000 alleged aspirin tablets, at Harvey, Ill., alleging that the article had been shipped on September 27, 1918, by the Verandah Chemical Co., Brooklyn, N. Y., and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Acetylsalicylic Acid Tablets 'Aspirin.'"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the tablets to consist essentially of starch, milk sugar, talc, calcium carbonate, salicylic acid, and a small amount of acetic acid. No acetylsalicylic acid was present.

Adulteration of the article was alleged in the libel for the reason that each package purported to contain an article known as 5-grain acetylsalicylic acid tablets or aspirin tablets, whereas, in truth and in fact, the strength and purity of the article fell below the professed standard and quality under which it was sold, to wit, "(5 gr.) Acetylsalicylic Acid Tablets 'Aspirin,'" in that it contained no acetylsalicylic acid or aspirin.

Misbranding of the article was alleged for the reason that the statement appearing on the packages, to wit, "1,000 (5 gr.) Acetylsalicylic Acid Tablets 'Aspirin,'" was false and misleading in that it represented to the purchaser that the tablets contained in each package consisted of 5 grains of acetylsalicylic acid or aspirin, whereas, in truth and in fact, they contained no acetylsalicylic acid or aspirin; and for the further reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, genuine 5-grain acetylsalicylic acid tablets or aspirin, whereas, in truth and in fact, the tablets contained no acetylsalicylic acid or aspirin.

On June 30, 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.

7111. Adulteration of oranges. U. S. * * * v. 462 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9710. I. S. No. 5764-r. S. No. C-1065.)

On January 31, 1919, the United States attorney for the Western District of Missouri, 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 462 boxes of oranges, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped