

Misbranding of the article was alleged for the reason that the statements borne on the labels of the cans were false and misleading and deceived and misled the purchaser into the belief that the product was Italian olive oil, when, in truth and in fact, it was not, but was Spanish olive oil.

On July 23, 1919, the said Italian Importing Co., 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 upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of a representative of this department.

E. D. BALL,

Acting Secretary of Agriculture.

7370. Misbranding of Santal-Pearls. U. S. * * * v. 12 Dozen Packages of Santal-Pearls. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10588. I. S. No. 15017-r. S. No. E-1535.)

On June 16, 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 a libel for the seizure and condemnation of 12 dozen packages of Santal-Pearls, consigned by S. Pfeiffer Mfg. Co., St. Louis, Mo., from East St. Louis, Ill., remaining unsold in the original unbroken packages at Chester, Pa., alleging that the article had been shipped on or about June 20, 1918, and transported from the State of Illinois into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular) "As soon as the symptoms of Gonorrhœa declare themselves, and without waiting for the inflammation * * * from ten to twelve of the Pearls should be taken * * *. The Pearls should be used in the earliest stages of the disease or at once when the discharge appears * * *. The Pearls should be continued * * * for a week after all the symptoms have disappeared."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of santal oil and copaiba, flavored with cinnamon.

Misbranding of the article was alleged in substance in the libel for the reason that the circular accompanying the article contained the above-quoted statements, regarding the curative or therapeutic effects of the article and the ingredients and substances contained therein, which were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by the said statements, and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On July 8, 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 be destroyed by the United States marshal.

E. D. BALL,

Acting Secretary of Agriculture.

7371. Misbranding of DuQuoin's Compound Santal Pearls. U. S. * * * v. 6 Dozen Packages of DuQuoin's Compound Santal Pearls. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10589. I. S. No. 14999-r. S. No. E-1537.)

On June 16, 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 a libel for the seizure and condemnation of 6 dozen packages of DuQuoin's Compound Santal Pearls.