

that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained $\frac{1}{2}$ gallon of the article, whereas, in truth and in fact, each of said cans did not contain $\frac{1}{2}$ gallon of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 10, 1919, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$50.

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

7687. Adulteration and misbranding of cocoa. U. S. v. 4 Boxes and 9 Boxes of Cocoa and 50 Packages of Premiums. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. Nos. 11617, 11618, 11619, 11620. I. S. Nos. 15779-r, 15780-r, 15781-r, 15782-r. S. No. E-1538.)

On June 18, 1919, the United States attorney for the Western District of Virginia, 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 of 4 boxes, containing $\frac{1}{2}$ -pound packages, and 9 boxes, containing $\frac{1}{2}$ -pound packages, of cocoa, and 50 packages of premiums, $\frac{1}{2}$ -pound size, remaining unsold in the original packages at Winchester, Va., alleging that the article had been shipped on or about March 27, 1919, by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "My Own Pure Cocoa."

Adulteration of the article was alleged in the libel for the reason that substances, starch and sugar, had been mixed and packed with, and substituted in whole or in part for, the article, and for the further reason that the article was mixed in a manner whereby damage or inferiority was concealed. It was alleged in substance that the article was misbranded in being labeled "Cocoa," and in that there appeared in prominent letters on the front and back panels "Pure Cocoa," and in that there appeared on each side panel in very conspicuous type, "The Cocoa Contained in this Package is Positively High Grade," which statements and representations were not sufficiently corrected by a statement stamped in an illegible manner, "My own cocoa compound containing corn starch, cocoa, sugar," and said statements were false and misleading and deceived and misled purchasers. It was alleged that the article was further misbranded in that it was an imitation of, and was offered for sale under the distinctive name of, another article, and in substance for the further reason that it was food in package form, and the quantity of contents was not declared.

On July 15, 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 sold by the United States marshal.

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

7688. Misbranding of Madame Dean Antiseptic Vaginal Suppositories. U. S. * * * v. 36 Packages of Madame Dean Antiseptic Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11448, 11449. I. S. Nos. 8065-r, 8066-r. S. Nos. C-1530, C-1531.)

On October 15, 1919, the United States attorney for the District of Nebraska, 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