

posed a fine of \$100 and costs. The remaining counts of the indictment were dismissed. The indictment was dismissed as to the defendant Hopson whose death occurred prior to the calling of the case for final disposition.

E. D. BALL, *Acting Secretary of Agriculture.*

7776. Misbranding of Texas Wonder. U. S. * * * v. 3 Dozen Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12996.)

On January 5, 1920, the United States attorney for the Northern District of Alabama filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Texas Wonder, in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped by E. Strocker, St. Louis, Mo., on or about December 16, 1919, and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, oil of turpentine, rhubarb, guaiac, and alcohol.

Misbranding of the article was alleged in the libel for the reason that the statement on the carton or label, to wit, "Texas Wonder, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder trouble in children," with reference to the therapeutic and curative qualities of said drug, was false and misleading and false and fraudulent, and the same was known to be false and fraudulent by the manufacturer, shipper, and those thus labeling said drugs at the time they were so labeled.

On March 22, 1920, 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.*

7777. Adulteration and misbranding of so-called olive oil. U. S. * * * v. Frank Kakarakis and Gus Kakarakis (Kakarakis Bros.). Plea of guilty. Fine, \$30 and costs. (F. & D. No. 9346. I. S. Nos. 8617-p, 8618-p, 9163-p, 9164-p, 9165-p, 9166-p, 9167-p, 9771-p, 15222-p.)

On June 28, 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 an information against Frank Kakarakis and Gus Kakarakis, trading as Kakarakis Bros., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on November 22, 1917, from the State of Illinois into the State of Michigan, on April 15, 1918, April 1, 1918, March 23, 1918, March 28, 1918, and January 25, 1918, from the State of Illinois into the State of Indiana, on January 22, 1918, from the State of Illinois into the State of Ohio, and on April 17, 1918, from the State of Illinois into the State of Iowa, of quantities of so-called olive oil which was adulterated and misbranded. The article was labeled, "One Gallon Net" or "One Quart Net" or "Half Gallon" or "One Pint Net," as the case might be (cut of crown) "Superfine compound with Pure Olive Oil" (picture of man) "King Alexander I. Brand KB Chicago, U. S. A. KB Superfine compound with Pure Olive Oil."

Examination of samples of the article by the Bureau of Chemistry of this department showed that it consisted largely of cottonseed oil, and that the cans containing it were short measure.

Adulteration of the article was alleged in substance in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed