

On September 15, 1919, no claimant having appeared, 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.*

7902. Misbranding of Buffalo Corn Gluten Feed. U. S. * * * v. Corn Products Refining Co., a Corporation. Plea of guilty. Fine, \$10. (F. & D. No. 11349. I. S. No. 17004-r.)

On October 30, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Corn Products Refining Co., a corporation, Edgewater, N. J., alleging shipment by the defendant, in violation of the Food and Drugs Act, on or about August 20, 1918, from the State of New Jersey into the Island of Porto Rico, of a quantity of an article, labeled in part "Buffalo Corn Gluten Feed Corn Products Refining Co. New York, U. S. A.," which was misbranded.

Analysis of a sample by the Bureau of Chemistry of this department showed that the article contained 21.57 per cent of nitrogen as protein.

Misbranding of the article was alleged in that the statement on the sacks containing the article, regarding the article and the ingredients and substances contained therein, to wit, "Protein minimum 23.0%," was false and misleading in that it represented that the article contained not less than 23 per cent of protein, whereas it contained less than 23 per cent of protein, to wit, 21.57 per cent of protein. It was further misbranded in that it was labeled so as to deceive and mislead the purchaser into the belief that the article contained not less than 23 per cent of protein, whereas it contained less than 23 per cent of protein, to wit, 21.57 per cent of protein.

On November 24, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

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

7903. Misbranding of Prescription 500 Capsules. U. S. * * * v. 18 Dozen Boxes of a Drug Labeled in Part "Prescription 500 Capsules." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11275. I. S. No. 14601-r. S. No. E-1729.)

On September 23, 1919, the United States attorney for the Southern District of New York, 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 18 dozen boxes of an article of drug, labeled in part "Prescription 500 Capsules," at New York, N. Y., alleging that the article had been shipped on or about July 31, 1919, by the Grape Capsule Co., Allentown, Pa., and transported from the State of Pennsylvania into the State of New York, 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 of capsules containing essentially a mixture of santal oil, cottonseed oil, copaiba, cubebs, and salol.

Misbranding of the article was alleged in that the statements, borne on the packages containing the article, regarding the therapeutic and curative effects of the article and the ingredients and substances contained therein, to wit, "Prescription 500 * * * Capsules for Gonorrhœa, Gleet, Acute Cystitis, Etc. * * * Continue taking capsules for a week after apparent cure to prevent relapse. * * *," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic and curative effects claimed by the above statements.

On October 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.*

7904. Misbranding of cottonseed cake. U. S. * * * v. Thomas R. Pugh and Joseph W. Pugh, Trading as Wilmot Oil Mill. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11208. I. S. No. 19429-p.)

On December 18, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas R. Pugh and Joseph W. Pugh, trading as Wilmot Oil Mill, Wilmot, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on February 21, 1918, from the State of Arkansas into the State of Kansas, of a quantity of an article which was misbranded.

Examination by an inspector of this department showed that the article was not labeled.

Misbranding of the article was alleged in that the article was food in package form, and the quantity of the contents of the package was not plainly and conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

On February 17, 1920, defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

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

7905. Adulteration of eggs. U. S. * * * v. 49 Cases of Eggs. Consent decree of condemnation and forfeiture. Edible portion of product ordered sold. (F. & D. No. 11175. I. S. No. 8602-r. S. No. C-1432.)

On August 21, 1919, the United States attorney for the District of Minnesota, 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 49 cases of eggs at Minneapolis, Minn., consigned by White City Creamery & Produce Co., Noonan, N. Dak., alleging shipment on or about August 6, 1919, and transportation from the State of North Dakota into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in that it consisted in whole or in part of decomposed eggs.

On October 31, 1919, White City Creamery & Produce Co. and Cudahy Packing Co., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the eggs be candled and all edible eggs sold, and, after payment of the costs of the proceedings and the freight charges, the sum of \$37.85 be paid to the Cudahy Packing Co., and \$107.18 be paid to the White City Creamery & Produce Co., and that the inedible eggs be destroyed by the United States marshal.

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

7906. Misbranding of Surety Brand cottonseed meal. U. S. * * * v. American Cotton Oil Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11213. I. S. No. 11052-r.)

On April 5, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the American Cotton Oil Co., Pine Bluff, Ark., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about October 19,