

been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for evaporated milk which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Evaporated Milk," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of evaporated milk, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated milk, whereas, in truth and in fact, it did not so consist, but did consist in part of an insufficiently condensed milk product, low in fat and total solids.

On October 6, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

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

8221. Misbranding of Columbia Short Stop. U. S. * * * v. 2 Gross Bottles of a Drug Labeled "Columbia Short Stop." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10222. I. S. No. 16191-r. S. No. E-1371.)

On May 13, 1919, the United States attorney for the Southern District of Florida, 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 a certain quantity of an article, labeled in part "Columbia Short Stop," remaining unsold in the original unbroken packages at Tampa, Fla., consigned by the Columbia Drug Co., Savannah, Ga., alleging that the article had been shipped on or about February 18, 1919, and transported from the State of Georgia into the State of Florida, 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 an emulsion composed essentially of oils of sandal wood, copaiba, and turpentine, gum acacia, ethyl nitrite, alcohol, and water, scented with lavender.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the labels on the bottles containing, and on the cartons enclosing the article, falsely and fraudulently represented the article to be effective for gonorrhea, gleet, running range, and inflammation of the kidneys and bladder, whereas, in truth and in fact, it was not effective.

On June 4, 1919, the Columbia Drug Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

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

8222. Misbranding of Columbia Short Stop. U. S. * * * v. 11 Dozen Bottles of a Drug Labeled "Columbia Short Stop." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10277. I. S. No. 16212-r. S. No. E-1406.)

On or about May 15, 1919, the United States attorney for the Southern District of Florida, 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 a certain quantity of an article, labeled in part "Columbia Short Stop," remaining unsold in the original unbroken packages at Jackson-

ville, Fla., consigned by the Columbia Drug Co., Savannah, Ga., alleging that the article had been shipped on or about April 2, 1919, and transported from the State of Georgia into the State of Florida, 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 an emulsion composed essentially of oils of sandal wood, copaiba, and turpentine, gum acacia, ethyl nitrite, alcohol and water, scented with lavender.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the bottle containing, and on the carton enclosing the article, falsely and fraudulently represented the article to be effective for gonorrhea, gleet, running range, and inflammation of the kidneys and bladder, whereas, in truth and in fact, it was not effective.

On June 4, 1919, the Columbia Drug 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 released to the claimant upon payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

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

S223. Adulteration and misbranding of My Own Pure Cocoa. U. S. * * *
v. 404 Pounds and 584 Pounds of Alleged Cocoa. Default decrees
of condemnation, forfeiture, and destruction. (F. & D. Nos. 10701 to
 10731, inclusive. I. S. Nos. 11374-r, 11376-r to 11397-r, inclusive, 12430-r to
 12437-r, inclusive. S. Nos. C-1301, C-1306.)

On June 27, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 404 pounds and 584 pounds of alleged cocoa, at Lima, Ohio, alleging that the article had been shipped on or about February 19, 1919, by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "My Own Pure Cocoa * * * The Cocoa contained in this package is Positively High Grade and guaranteed by the manufacturers to comply with all Federal and State Food Laws * * * Absolutely pure * * *," (inconspicuously stamped on side panel) "My Own Cocoa Compound, containing Corn Starch Cocoa Sugar."

Adulteration of the article was alleged in the libels for the reason that starch or starch and sugar had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the article, and for the further reason that said product was mixed in a manner whereby damage or inferiority was concealed.

Misbranding of the article was alleged in substance for the reason that the statement "My Own Pure Cocoa," not sufficiently corrected by the inconspicuous statement "My Own Cocoa Compound," was false and misleading and deceived and misled the purchaser in that said label indicated that the article was pure cocoa, whereas analysis of the product in possession of different dealers showed that it contained 27.35 per cent of sugar and 40.84 per cent of starch, 21.77 per cent of starch and no sugar, 27.35 per cent of sugar and 41.91 per cent of starch, 31.62 per cent of sugar and 39.88 per cent of starch, and 21.77 per cent of starch and no sugar, as the case might be. Misbranding of the article was alleged further for the reason that it was an imitation of, and was offered for sale and sold under the distinctive name of, another article, and for