

released to said claimant company upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$50, in conformity with section 10 of the act, conditioned in part that the product be relabeled according to law.

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

8232. Misbranding of olive oil. U. S. * * * v. 600 Tins of Pure Olive Oil. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11520. I. S. Nos. 13173-r, 12995-r. S. No. E-1861.)

On November 24, 1919, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of a certain quantity of pure olive oil, remaining unsold in the original unbroken packages at Providence, R. I., alleging that the article had been shipped on September 27, 1919, by Crisafulli Bros., New York City, and transported from the State of New York into the State of Rhode Island, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the quantity of the contents of the packages was less than the quantities stated upon the labels, "One full gallon," "One-half gallon," or "One full quart," as the case might be.

Misbranding of the article was alleged in the libel in that the statements on the labels on the cans containing the article, regarding the quantity of the contents, were false and misleading and deceived and misled the purchaser. Further misbranding was alleged in that the quantity of the contents of the cans was not plainly and conspicuously marked on the outside of the packages containing the article.

On April 1, 1920, Carbone Bros., claimants, 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 claimants 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.*

8233. Adulteration and misbranding of Pepso-Laxatone. U. S. * * * v. 140 Bottles, One Pint Each, of a Drug Labeled "Pepso-Laxatone." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11528. I. S. No. 3055-r. S. No. W-544.)

On or about November 25, 1919, the United States attorney for the Western District of Washington, 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 "Pepso-Laxatone," remaining unsold in the original unbroken packages at Seattle, Wash., consigned by the Burlingame Chemical Co., Los Angeles, Calif., alleging that the article had been shipped on or about July 1, 1919, and August 18, 1919, and transported from the State of California into the State of Washington, and charging adulteration and 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 sugar, glycerin, licorice, acids including hydrochloric, small amounts of pepsin, emolin indicating cascara sagrada, and a trace of volatile oil. No pancreatin was present.

Adulteration of the article was alleged in that its strength and purity fell below the professed standard and quality under which it was sold, since it

contained negligible quantities of pepsin and fluid extract of cascara sagrada and no diastase nor pancreatin.

Misbranding of the article was alleged in that the statement on the label on the bottle containing the article, regarding the article, to wit, "Pepso-Laxatone is a solution of Pepsin, Diastase, Pancreatine, * * * to which is added to each fluid ounce 60 grains of Fl. extract of Cascara Sagrada," was false and misleading. Further misbranding was alleged in that the statements on the label on the bottle containing the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a digestant laxative, an efficient combination of agents for the permanent relief of habitual constipation, gastric disorders, and indigestion, whereas, in truth and in fact, it was not effective.

On January 5, 1920, the Burlingame Chemical 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.*

8234. Adulteration and misbranding of alleged red vinegar. U. S. * * * v. 86 Barrels of a Product Purporting to be Red Vinegar. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11529. I. S. No. 12768-r. S. No. E-1865.)

On November 25, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of a quantity of a certain product, purporting to be red vinegar, consigned September 24, 1919, alleging that the article had been shipped by Abraham Bros., Providence, R. I., and transported from the State of Rhode Island into the Commonwealth of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in that distilled vinegar colored with caramel had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article. Further adulteration was alleged in that the article was mixed and colored in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged in that the statement on the label on the package containing the article, to wit, "Pure 40 Grain Red Vinegar," was false and misleading. Further misbranding was alleged in that the product was an imitation of, and was offered for sale under the distinctive name of, another article.

On April 7, 1920, John E. Swift, 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.*

8235. Misbranding of McConnon's Stock Tonic. U. S. * * * v. 961 Boxes and Pails, More or Less, of McConnon's Stock Tonic. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11551. I. S. No. 7345-r. S. No. C-1618.)

On December 16, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure