

cent of protein and not more than 12 per cent of fiber, or not less than 43 per cent of protein, as the case might be, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they contained not less than 38.62 per cent of protein and not more than 12 per cent of fiber or not less than 43 per cent of protein, as the case might be, whereas, in truth and in fact, the articles did contain less than 38.62 per cent of protein and more than 12 per cent of fiber, or less than 43 per cent of protein, as the case might be, to wit, approximately 37.2 per cent of protein and approximately 12.8 per cent of fiber, or approximately 40.77 per cent of protein. Misbranding of the cottonseed screenings was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 22, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

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

8824. Misbranding of Texas Wonder. U. S. * * * v. 31 Bottles, 20 Bottles, 9 Bottles, and 31 Bottles of Texas Wonder (4 libels). Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12159, 12876, 12877, 12878. I. S. Nos. 9830-r, 24703-r, 24704-r, 24715-r. S. Nos. C-1941, C-1962, C-1963, C-1964.)

On May 21, June 11, and June 14, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district 4 libels for the seizure and condemnation of 31, 20, 9, and 31 bottles of Texas Wonder, remaining unsold in the original unbroken packages at Evansville, Ind., Terre Haute, Ind., and Indianapolis, Ind., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about March 11, April 17, April 2, and April 10, 1920, and transported from the State of Missouri into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in children;" (small circular, headed "Read Carefully") "In cases of gravel and rheumatic troubles, it should be taken every night in 25-drop doses until relieved."

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

Misbranding of the article was alleged in the libels for the reason that the foregoing statements borne on the carton and in the circular, regarding the curative and therapeutic effects of the article, were false and fraudulent in that said article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On July 17, 1920, no claimant having appeared for the property, default decrees of condemnation, forfeiture, and destruction were 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.*

8825. Adulteration and misbranding of cottonseed feed. U. S. * * * v. 300 Sacks of "Economy" Cottonseed Feed. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 12701. I. S. No. 15522-r. S. No. E-2063.)

On May 27, 1920, the United States attorney for the Eastern 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, and on June 28, 1920, an amendment to the libel, praying seizure and condemnation of 300 sacks of "Economy" cottonseed feed, at Petersburg, Va., alleging that the article had been shipped, on or about January 12, 1920, by Lyle & Lyle, Camilla, Ga., and transported from the State of Georgia into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a certain substance, to wit, crude cottonseed fiber, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Misbranding was alleged in the libel, as amended, for the reason that the labels upon the product bore certain statements regarding the article and the ingredients and substances contained therein, to wit, "'Economy' Cotton Seed Feed * * * Protein, not less than 36 per cent * * * Fiber, not more than 14 per cent," which said statements were false and misleading and deceived and misled the purchaser into the belief that the article contained not less than 36 per cent of protein and not more than 14 per cent of fiber, when, in truth and in fact, it contained a less proportion of protein and a greater proportion of fiber. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Economy" cottonseed feed, when, in truth and in fact, it was not "Economy" cottonseed feed.

On June 28, 1920, the Virginia Feed & Grain Co., having filed an answer to the libel as owner of the product, and the case having come on for final disposition, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act.

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

8826. Adulteration and misbranding of orange squeeze. U. S. * * * v. 4 One-half Barrels * * * of Orange Squeeze. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 13486. I. S. Nos. 4101-t, 4102-t. S. No. C-2436.)

On September 9, 1920, 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 a libel for the seizure and condemnation of 4 one-half barrels of orange squeeze, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the articles had been shipped on June 21, 1920, by the National Fruit Flavor Co., New Orleans, La., and transported from the State of Louisiana into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that an imitation orange product containing little or no orange juice had been substituted [in] whole or in part for the article of food known as orange squeeze, and for the further reason that said article had been mixed and colored in a manner whereby inferiority was concealed.

Misbranding was alleged in substance for the reason that the article bore a label in words and figures as follows, to wit, "Flavoring Syrup No label required on 6 pieces Chicago Beverage Co., 3423 W. 13th Place, Chicago, Ill., from Nat'l Fruit Flavor Co., No La Orange Squeeze, sixteen to one strength For Bottling. Prepared from natural fruit. Colored with Harmless Colors and Preserved with less than 1-10th of 1% Sodium Benzoate. National Fruit Flavor Company, New Orleans, La.," which said labeling was false and misleading and deceived