

act, and that the goods be held by said claimant, subject to the orders of the court, pending determination of case D. L. 241, "United States of America, Libellant, v. 141 Bottles, more or less, of Drug Products."

On February 5, 1921, the matter having come on for final disposition, and it appearing to the court that on July 21, 1919, judgment was entered in said cause D. L. 241, condemning and forfeiting said drug products as being misbranded, and that said cause had been appealed to the United States Circuit Court of Appeals for the Fifth Circuit, and that the judgment of the District Court had been affirmed by the said Court of Appeals, judgment of condemnation and forfeiture was entered in the present cases, and it appearing to the court that the said claimant had theretofore filed bond in conformity with section 10 of the act, and that the goods had been delivered to him, it was ordered by the court that the cause be closed.

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

9041. Adulteration and misbranding of maple sap sirup. U. S. * * * v. New England Maple Syrup Co., a Corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 8501. I. S. Nos. 2870-m, 1736-m.)

On April 3, 1918, 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 an information against the New England Maple Syrup Co., a corporation, Cambridge, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 15 and March 30, 1916, from the State of Massachusetts into the States of Connecticut and Rhode Island, of quantities of alleged maple sap sirup which were adulterated and misbranded. The article was labeled in part, "New England Brand Vermont Maple Sap Syrup Choicest Quality Absolutely Pure. New England Maple Syrup Co. Boston."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was apparently a mixture of cane sugar and maple sirups.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, sugar sirup, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for sap sirup, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Maple Sap Syrup * * * Absolutely Pure," borne on the label attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted exclusively of maple sap sirup, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article consisted exclusively of maple sap sirup, whereas, in truth and in fact, it did not consist exclusively of maple sap sirup, but did consist of a mixture composed in part of sugar sirup.

On September 23, 1919, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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

9042. Misbranding of Antifebrom, Regilaterro No. 1, Lekarstwo Na Szkorbut, Lekarstwo przeciw Pijanstwu, Krople Bobrowe, Krople Maciczne, Gardlolek, Krople Nazemcowe, and Krople Laurowe. U. S. * * * v. Dr. John Chmiell Co., a Corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 8812. I. S. Nos. 3729-m to 3737-m, incl.)

On July 27, 1918, 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 an information against the Dr. John Chmiell Co., a corporation, Boston, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 24, 1917, from the State of Massachusetts into the State of New Hampshire, of quantities of Antifebrom, Regilaterro No. 1, Lekarstwo Na Szkorbut, Lekarstwo przeciw Pijanstwu, Krople Bobrowe,

Krople Maciczne, Gardlolk, Krople Nazemcowe, and Krople Laurowe, which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed Antifebrom to be a hydro-alcoholic solution containing iron, quinine, and strychnine, with sulphuric and citric acids, probably as quinine sulphate and iron and strychnine citrate; Regilaterro No. 1 to be a hydro-alcoholic solution of aloes; Lekarstwo Na Szkorbut to be a glucose sirup containing a small amount of alum and copper sulphate in solution; Lekarstwo przeciw Pijanstwu to be powdered ipecac with sodium bromid and a small amount of ammonium salts, and to contain a high percentage of mineral impurities; Krople Bobrowe to be a hydro-alcoholic solution containing strychnine, iron, lime, and magnesium, united with sulphuric, citric, and phosphoric acids; Krople Maciczne to be a mixture of alcohol, ether, and water, containing emodin bearing drugs; Gardlolk to be a solution containing boric acid, menthol, and thymol; Krople Nazemcowe to be a hydro-alcoholic solution containing an emodin bearing drug, probably senna, also gentian and capsicum, but no alkaloids; and Krople Laurowe to be an extract of bitter almond.

Misbranding of the articles was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons, falsely and fraudulently represented the articles to be effective, with respect to the Antifebrom, to improve digestion and to remove all kinds of stomach ailments, rheumatism, and fever, as a remedy for all chills, as a remedy and sure cure for colds, fever, influenza, grippe, and malaria, and as a preventive of all kinds of disease; with respect to Regilaterro No. 1, as effective for the thorough cleaning of the liver, kidneys, and blood, to prevent smallpox, as a remedy for rheumatism, kidney troubles, dyspepsia, all kinds of fevers, all stomach disorders, all kinds of sores, inflammations, swellings, colds, coughs, and aches, and as a special remedy for headaches; with respect to the Lekarstwo Na Szkorbut, as effective as a remedy and cure for scurvy; with respect to the Lekarstwo przeciw Pijanstwu, as effective as a remedy and cure for the drink habit; with respect to the Krople Bobrowe, as effective as a remedy for all sorts of feminine ailments, lack of strength and pleasure of life, weariness and disability to perform work, and as a remedy for all pains and aches, either as a result of sickness or some great grief or sorrow, and helpful for infirmities of women, and for women desiring to have children; with respect to the Krople Maciczne, as effective as a womb remedy, as a cure for rheumatism, dropping, loosening, and all sorts of pains and ailments of the womb, and as a remedy for all kinds of womb troubles; with respect to the Gardlolk, as effective as a remedy for diphtheria; with respect to the Krople Nazemcowe, as effective as a remedy for pains in the stomach caused by diarrhea, and as a remedy for faintness; and with respect to the Krople Laurowe, as effective as a remedy for heart troubles, when, in truth and in fact, they were not.

Misbranding was alleged with respect to the Krople Maciczne for the further reason that the statements, to wit, "Containing 50% Alcohol," and "Alcohol 60 p. c.," borne on the carton and bottle, respectively, containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained 50 and 60 per cent, respectively, of alcohol, whereas, in truth and in fact, the article did not contain either 50 or 60 per cent of alcohol, but contained a less amount, to wit, 11.30 per cent of alcohol, and for the further reason that the article contained alcohol and ether, a derivative of alcohol, and the label failed to bear a statement of the quantity or proportion of alcohol and ether contained therein. Misbranding was alleged with respect to the Krople Laurowe for the further reason that the statement, "Contains 25% Alcohol," borne on the cartons and bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained 25 per cent of alcohol, whereas, in truth and in fact, it contained

more than 25 per cent of alcohol, to wit, 35.94 per cent of alcohol, and for the further reason that the article contained alcohol and the label failed to bear a statement of the quantity or proportion of alcohol contained therein.

On September 24, 1919, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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

9043. Misbranding of cottonseed meal. U. S. * * * v. United Oil Mills, a Corporation.
Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8925. I. S. No. 19896-m.)

On November 11, 1918, the United States attorney for the Western 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 United Oil Mills, a corporation, Hope, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 16, 1916, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed meal which was misbranded. The article was labeled in part, "Milko Cotton Seed Meal."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results: Ether extract (crude fat), 5.20 per cent; crude fiber, 16.82 per cent; and crude protein, 36.20 per cent.

Misbranding of the article was alleged in the information for the reason that the statements, "Guaranteed analysis * * * Protein 38.62 to 43% Fat 5.50 to 9% Crude Fibre 8 to 10%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 38.62 per cent of protein and 5.50 per cent of fat, and not more than 10 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to mislead and deceive the purchaser into the belief that it contained not less than 38.62 per cent of protein and 5.50 per cent of fat, and not more than 10 per cent of crude fiber, whereas, in truth and in fact, said article did contain less than 38.62 per cent of protein and 5.50 per cent of fat, and more than 10 per cent of crude fiber, to wit, 36.20 per cent of protein, 5.20 per cent of fat, and 16.82 per cent of crude fiber.

On May 4, 1919, 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.*

9044. Misbranding of cottonseed meal. U. S. * * * v. The Union Seed & Fertilizer Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8936. I. S. No. 19967-m.)

On November 19, 1918, 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 Union Seed & Fertilizer Co., a corporation, having a place of business at England, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 28, 1916, from the State of Arkansas into the State of Michigan, of a quantity of cottonseed meal which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed a crude fiber content of 15.87 per cent, and a protein content of 31.94 per cent.

Misbranding of the articles was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Protein 36 to 38.50% * * * Crude Fibre 12 to 15.00%," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 36 per cent of protein and not more than 15 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 36 per cent of protein and not more than 15