

On November 29, 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.*

9102. Adulteration and misbranding of evaporated apples. U. S. * * * v. 200 Boxes * * * of Evaporated Apples. Product ordered released on bond. (F. & D. No. 12536. I. S. No. 13053-r. S. No. E-2045.)

On March 31, 1920, the United States attorney for the District of New Hampshire, 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 200 boxes of evaporated apples, at Keene, N. H., alleging that the article had been shipped on or about March 6, 1920, by Rosenberg Bros. & Co., from Watsonville, Calif.; and transported from the State of California into the State of New Hampshire, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "78 Treated with Sulphur-dioxide Extra Choice Evaporated Apples Bleached with Sulphur net fifty lbs."

Adulteration of the article was alleged in the libel for the reason that an excessive amount of water had been mixed and packed with, and substituted in whole or in part for, dried apples.

Misbranding was alleged for the reason that the statement in the label attached to the boxes, to wit, "Extra Choice Evaporated Apples," was false and misleading and tended to deceive or mislead the purchaser thereof.

On June 16, 1920, the said Rosenberg Bros. & Co. having filed its bond in the sum of \$500, in conformity with section 10 of the act, it was ordered by the court that the property be delivered to said claimant company upon payment of the costs of the proceedings and upon the proper branding of the article so as to bring it in conformity with the law.

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

9103. Misbranding of Hall's Texas Wonder. U. S. * * * v. 3 Dozen Bottles of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12946. I. S. No. 120-r. S. No. E-2393.)

On June 22, 1920, the United States attorney for the Northern District of Georgia, 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 3 dozen bottles of Hall's Texas Wonder, remaining in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped on or about March 24, 1920, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Georgia, and charging misbranding in violation of 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;" (circular) "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 article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof, appearing on the label of the carton and in the circular,

were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchaser thereof, and to create in the mind of the purchaser thereof, the impression and belief that said product was in whole or in part composed of or contained medicinal agents effective, among other things, as a remedy, cure, and preventive of kidney and bladder troubles, weak and lame back, rheumatism, and gravel, and that the same would regulate bladder trouble in children, whereas, in truth and in fact, it was not effective for the purposes named.

On January 24, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered that the product be destroyed by the United States marshal.

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

9104. Misbranding of Stopsit. U. S. * * * v. 9 Bottles and 2 Dozen Bottles * * * of Stopsit. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12948, 12949. I. S. Nos. 24461-r, 24464-r. S. Nos. C-1992, C-1993.)

On July 2, 1920, the United States attorney for the Southern 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 9 bottles and 2 dozen bottles, more or less, of Stopsit, consigned on March 23, 1920, remaining unsold in the original packages at Columbus, Ohio, alleging that the article had been shipped by the O. K. Remedy Co., Indianapolis, Ind., and transported from the State of Indiana into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of two preparations, a liquid consisting essentially of an aqueous solution of berberine, and a powder consisting of potassium permanganate.

It was alleged in the libels that the article was misbranded for the reason that said drug and retail packages purported to contain an excellent preparation for the treatment of gonorrhea, gleet, and leucorrhea, known as "Stopsit," only by reason of statements on the label thereof, whereas, in truth and in fact, said retail packages and circulars were false and misleading [fraudulent] in that the product or drug contained therein had little or no ingredients or substances capable of producing the curative and therapeutic effects claimed therefor.

On February 4, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture 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.*

9105. Adulteration and misbranding of vinegar. U. S. * * * v. 43 Barrels, 6 Barrels, and 80 Barrels of a Product Labeled * * * "Cider Vinegar." Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13106, 13107, 13108. I. S. Nos. 13098-r, 13094-r, 13099-r. S. Nos. E-2434, E-2437, E-2439.)

On July 28, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 43 barrels, 6 barrels, and 80 barrels of a product labeled, respectively, in part, "Crescent Brand Pure Cider Vinegar," "Pure Cider Vinegar Imperial Brand," and "Pure 4C Cider Vinegar," consigned by F. E. Jewett & Co., Lowell, Mass., remaining unsold in the original unbroken packages at Portland and Bangor,