

William E. McCaslin, Los Angeles, Calif., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about July 27, 1920, from the State of California into the State of Louisiana, of a quantity of tomatoes which were misbranded. The article was labeled, (wrapper) "W. E. McCaslin Co. Packers & Shippers, Los Angeles. Fancy California Tomatoes."

Misbranding of the article was alleged in the information 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 March 28, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

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

9370. Misbranding of Dr. Blackman's Medicated Salt Brick. U. S. * * * v. 3 Cases * * * of Dr. Blackman's Medicated Salt Brick. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9077. I. S. No. 4861-p. S. No. E-1047.)

On or about June 17, 1918, the United States attorney for the Eastern District of North Carolina, 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 cases, each containing 30 packages, of Dr. Blackman's Medicated Salt Brick, at Ayden, N. C., alleging that the article had been shipped by the Blackman Stock Remedy Co., Chattanooga, Tenn., on or about April 8, 1918, and transported from the State of Tennessee into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Dr. Blackman's Medicated Salt Brick * * * Has Cured Hog Cholera * * * For Hog Cholera * * * As A Preventative. * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sodium chlorid, potassium nitrate, ferrous sulphate, sulphur, lime, and strychnine.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements were false and fraudulent in that the said article was not a cure for and preventative of hog cholera, since it contained no ingredient or combination of ingredients capable of producing the effect claimed, and the said statements were applied to the said article so as to create in the minds of the purchasers thereof the impression and belief that the article was an effective remedy or preventative for hog cholera, when, in truth and in fact, it was not.

On May 13, 1921, 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.*

9371. Misbranding of Injection Zip. U. S. * * * v. 4½ Dozen Bottles * * * of Injection Zip. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10879. I. S. No. 15858-r. S. No. E-1628.)

On August 6, 1919, the United States attorney for the Southern District of West Virginia, 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 4½ dozen bottles of Injection Zip, at Charleston, W. Va., alleging that the article had been shipped by the Baker-Levy Chemical Co., Indianapolis, Ind., on March 30, 1919, and transported from the State of Indiana into the State of West Virginia, and charging misbranding in violation of the

Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Injection Zip Contains 3 to 4 per cent. Alcohol. Contains 1½ gr. Opium to fluid ounce * * * This Injection is an excellent preparation and cannot produce stricture. Relief being speedy. * * *;" (wrapper) "Injection Zip * * *;" (circular) " * * * An Excellent Preparation For The Treatment Of Gonorrhoea, Gleet and Leucorrhoea. * * * a tried preparation for the above diseases * * * the best injection on the market for the purpose. Ladies troubled with Leucorrhoea (Whites) will obtain a speedy relief."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of acetates and sulphates of zinc and lead, opium alkaloids, berberine, and plant extractives, in water and alcohol.

It was alleged in substance in the libel that the article was misbranded within the provisions of section 8, paragraph 3, of the said act, for the reason that the statement to the effect that the product was a remedy for gonorrhea, gleet, and leucorrhea was false and fraudulent.

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.*

9372. Misbranding of Muscato. U. S. * * * v. 25 Cases * * * of Muscato. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12286. I. S. No. 563-r. S. No. E-1972.)

On March 19, 1920, the United States attorney for the Northern 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 25 cases, more or less, of Muscato, remaining in the original unbroken packages at Pensacola, Fla., alleging that the article had been shipped by the Ozone Spring Water & Beverage Co., Inc., New Orleans, La., on March 1, 1920, and transported from the State of Louisiana into the State of Florida, and charging violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Muscato 'You Taste The Grape' * * * Bottled By The Ozone Spring Water & Beverage Co., Inc. New Orleans, La., U. S. A. * * * This Is Not A Carbonated Beverage Being A Grape Drink Served * * * In The Same Manner As Any Grape Juice Is Served."

It was alleged in substance in the libel that the above-quoted statements contained in the labels on the bottles were false and misleading in that the said bottles did not contain the juices derived from grapes, as claimed and suggested in the said statements, but the article was a mixture of phosphoric acid, sugar, and a trace of esters, and was colored with amaranth.

On August 14, 1920, 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.*

9373. Misbranding of peanut feed. U. S. * * * v. 90 Sacks of Peanut Feed. Product released under bond. (F. & D. No. 12980. I. S. No. 237-r. S. No. E-2397.)

On July 20, 1920, the United States attorney for the Northern 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 90 sacks of peanut feed, remaining in the original unbroken packages at Tallahassee, Fla., alleging that the article had been shipped by the Camilla Cotton Oil and Fertilizer Co., Camilla, Ga., on February 25, 1920,