

ing as Crisafulli Bros., at New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about September 27, 1919, from the State of New York into the State of Rhode Island, of a quantity of olive oil which was misbranded. The article was labeled in part: "Contains One Full Gallon" (or "1/2 Gallon" or "One Full Quart") "* * * Pure Olive Oil Crisafulli Brand * * * Crisafulli Brothers. Importers & Packers * * *"

Examination of samples of the article by the Bureau of Chemistry of this department showed the following results:

Cans.	Sample No. 1, 12 cans of each size.		Sample No. 2, 24 cans of each size.	
	Average net contents.	Shortage.	Average net contents.	Shortage.
	<i>Gallon.</i>	<i>Per cent.</i>	<i>Gallon.</i>	<i>Per cent.</i>
Gallon.....	0.988	1.2	0.984	1.6
Half-gallon.....	.493	1.4	.488	2.4
Quart.....	.244	2.4	.241	3.6

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. Misbranding was alleged for the further reason that the statements, to wit, "One Full Gallon," "Contains 1/2 Gallon," or "Contains One Full Quart," as the case might be, borne on the cans containing the article, regarding the article, were false and misleading in that they represented that each of the said cans contained one full gallon, one-half gallon, or one full quart, as the case might be, of the said article, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the cans contained one full gallon, one-half gallon, or one full quart, as the case might be, whereas, in truth and in fact, each of said cans contained a less amount.

On April 6, 1921, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$200.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9437. Misbranding of Pratts Cow Remedy. U. S. * * * v. 24 Packages, 60-Cent Size, 2 Cases, 60-Cent Size, 12 Packages, \$1.20 Size, 1 Case, \$1.20 Size, and Two 12-Pound Pails of Pratts Cow Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 14415, 14417. I. S. Nos. 4760-t, 4759-t. S. Nos. C-2769, C-2784.)

On or about February 18, 1921, the United States attorney for the Western District of Texas, 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 April 30, 1921, an amended libel, for the seizure and condemnation of certain quantities of Pratts Cow Remedy, at San Antonio, Tex., alleging that the article had been shipped by the Pratt Food Co., Chicago, Ill., on or about December 27, 1919, July 19, 1920, and October 12, 1920, and transported from the State of Illinois into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: "Pratts Cow Remedy is a tested remedy and preventive for Contagious Abortion, Barrenness (Failure to Breed), Garget, Milk Fever * * * For Barrenness * * * For Milk Fever And Garget * * * prevents retained afterbirth, * * * For Calves: For preventing or treating scours,

* * * Pratts Cow Remedy will assist in rendering the bull's service more sure, particularly where contagious abortion has appeared in the herd. * * * For Accidental Or Contagious Abortion * * * To Prevent: In herds where cows have previously aborted, or in neighborhoods where disease exists, * * * Contagious Abortion * * * Retained Afterbirth * * * Pratts Cow Remedy Is A Medicinal Specific for diseases of cows. * * * preventive and remedy for cow troubles * * *” The remainder of the article was labeled in part: “* * * For barrenness * * * For Calves: For preventing or treating scours, * * * For accidental Or Non-Contagious Abortion * * * Contagious Abortion * * * Retained Afterbirth * * * Pratts Cow Remedy is a tested compound to aid in the prevention and treatment of abortion (slinking of calves), barrenness (failure to breed), retained afterbirth, * * *”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sodium chlorid, sodium bicarbonate, Epsom salt, iron oxid, charcoal, fenugreek, ginger, capsicum, nux vomica, and bitter plant material.

Misbranding of the article was alleged in substance in the libel, as amended, for the reason that the above-quoted statements regarding the curative and therapeutic effect of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 2, 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.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9438. Adulteration of coal-tar yellow color. U. S. * * * v. One Pound Can of Coal-Tar Yellow Color. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14643. I. S. No. 2334--t. S. No. C-2873.)

On March 23, 1921, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and subsequently an amendment to said libel, for the seizure and condemnation of one pound can of coal-tar yellow color, remaining unsold at Hawarden, Iowa, alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about March 1, 1921, and transported from the State of Missouri into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: “1 Lb. Net Manufacturing Chemists * * * Contents Yellow W. B. Wood Mfg. Co. St. Louis, Mo. * * *”

Adulteration of the article was alleged in substance in the libel, as amended in that it contained sulphates and salt and a non-permitted dye product, and for the further reason that it contained a poisonous and deleterious ingredient, to wit, arsenic, which might render the said article injurious to health.

On May 26, 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.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9439. Adulteration and misbranding of Ecc-O-Gene. U. S. * * * v. 150 Gross * * * of Ecc-O-Gene. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14682. I. S. No. 3205--t. S. No. C-2901.)

On March 28, 1921, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the