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Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On August 15, 1921, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9762. Adulteration of milk. U. S. \* \* \* v. Westwood Farm Milk Co., a Corporation. Plea of nolo contendere. Fine, \$50.** (F. & D. No. 8969. I. S. Nos. 833-m, 834-m, 835-m, 836-m, 838-m, 871-m, 872-m, 874-m, 876-m, 894-m, 957-m, 956-m, 2238-p.)

On November 25, 1918, the United States attorney for the District of Vermont, 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 Westwood Farm Milk Co., a corporation, having a place of business at Newport, Vt., alleging shipment by said company, under the name of the Newport Milk Co., in violation of the Food and Drugs Act, on or about July 19 and 20 and August 17, 22, and 24, 1916, respectively, from the State of Vermont into the State of Massachusetts, of quantities of milk which was adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed an excessive bacterial count.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On August 15, 1921, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9763. Misbranding of cottonseed meal. U. S. \* \* \* v. The Buckeye Cotton Oil Co., a Corporation. Default judgment of \$50.** (F. & D. No. 9717. I. S. Nos. 15411-p, 15418-p.)

On April 28, 1919, 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 Buckeye Cotton Oil Co., a corporation, having a place of business at Little Rock, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 17, 1917, from the State of Arkansas into the State of Michigan, of two consignments of cottonseed meal which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed, with respect to one consignment, crude protein 34.81 per cent and ammonia 6.77 per cent, and with respect to the other consignment, crude protein 33.81 per cent, ammonia 6.64 per cent, and crude fiber 14.80 per cent.

Misbranding of the article was alleged in the information for the reason that the respective statements, to wit, "Protein 36.00% \* \* \* Ammonia 7.00%" and "Protein 36.00% \* \* \* Ammonia 7.00% Fibre 14.00%," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article contained not less than 36 per cent of protein and not less than 7 per cent of ammonia and that the product involved in one of the shipments contained not more than 14 per cent of 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 the said article

contained not less than 36 per cent of protein and not less than 7 per cent of ammonia and that the product involved in one of the consignments contained not more than 14 per cent of fiber, whereas, in truth and in fact, the said article contained less than 36 per cent of protein, less than 7 per cent of ammonia, and the product involved in one of the consignments contained more than 14 per cent of fiber.

On December 22, 1919, no appearance having been entered on behalf of the defendant company, which at that time was defunct, a judgment by default was entered by the court in the sum of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9764. Misbranding of vegetable regulator and iron elixir. U. S. \* \* \***  
**v. Charles S. Miller. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 11040. I. S. Nos. 6695-r, 6696-r.)**

On February 14, 1921, the Grand Jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district returned in the District Court of the United States for the district aforesaid an indictment in four counts against Charles S. Miller, Vincennes, Ind., charging shipment by said defendant, on or about August 7, 1919 [1918], and January 13, 1919, respectively, in violation of the Food and Drugs Act, as amended, from the State of Indiana into the State of Missouri, of quantities of iron elixir and improved vegetable regulator, respectively, which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the vegetable regulator was an alkaline, aqueous solution containing emodin (aloes) and sodium bicarbonate, slightly flavored with oil of peppermint, with a small amount of alcohol present; and that the iron elixir was a dilute, slightly acid aqueous solution of sodium citrate and iron chlorid, with a slight trace of alcohol present.

Misbranding of the vegetable regulator was charged in the indictment for the reason that the following statements concerning the said article, appearing on the labels, to wit, "Vegetable Regulator \* \* \* Guaranteed under the Pure Food and Drug Act of June 30, 1906. Serial No. 2987," were false and misleading in that they represented to purchasers of the said article that it was composed exclusively of vegetable substances, that it was guaranteed by the United States not to be adulterated or misbranded, and that the said guarantee was numbered with the serial number 2987, whereas, in fact and in truth, the article was not composed exclusively of vegetable substances, it was not guaranteed by the United States in any manner or for any purpose whatever, and it had no guaranty under any serial or other number. Misbranding was charged in substance with respect to both products for the reason that certain statements appearing on the labels of the respective bottles and cartons containing the articles, concerning the curative and therapeutic effects thereof, falsely and fraudulently represented that the vegetable regulator was effective as a treatment, remedy, and cure for diseases of the liver, sick and nervous headache, jaundice, restlessness, nervousness, depression of the spirit, acute pain and distress from indigestion, sleeplessness, and all diseases pertaining to the stomach and bowels and arising from disorder thereof, effective to restore the functions of the alimentary canal and its accessories to their normal action, to complete digestion when the stomach has failed, to correct all irregularities and overcome the most desperate chronic case, and effective as a treatment, remedy, and cure for neuralgia, female disorders, rheumatism and fever and ague caused by biliousness; and that the iron elixir was effective as a treatment, remedy, and cure for pimples and boils, as a blood purifier in