

fective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Disease and Pulmonary Disorganization with Bronchial Irritation. (In Pre-tubercular stages) * * * Use no other lung medicine while using Lung Germine. Read carefully the circular accompanying this bottle * * *," (carton) "Your Lungs Are They Weak Or Painful? Do your lungs ever bleed? Do you have night sweats? Are you short of breath? Have you pains in chest and sides? Do you spit yellow and black matter? Do you have pains under your shoulder blades? These Are Regarded Symptoms of Lung Trouble Do Not Neglect These Symptoms Keep Lung Germine in your home ready for immediate use at the first sign of Membraneous Lung Disease or Bronchial Irritation. * * * Treatment For Relief of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Diseases and Pulmonary Disorganization with Bronchial Irritation (In Pre-tubercular Stages) * * *," were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that the said article was composed of or contained ingredients or combinations of ingredients effective as a remedy for the several diseases, ailments, and afflictions mentioned upon the said labels.

On November 14, 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.

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

10229. Misbranding of olive oil. U. S. * * * v. 56 Cans * * * of Olive Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15146. I. S. No. 6415-t. S. No. E-3468.)

On July 26, 1921, the United States attorney for the District of New Jersey, 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 56 cans of olive oil, remaining unsold at Hoboken, N. J., alleging that the article had been shipped by Economou & Theodos, New York, N. Y., on or about May 12, 1921, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Rigoletto Brand Virgin Pure Olive Oil * * * Net Contents 1 Gal. * * *."

Misbranding of the article was alleged in the libel 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, since the stated quantity, to wit, "Net Contents 1 Gal.," was greater than the actual net contents of the said package.

On February 15, 1922, N. P. Economou & Theodos, New York, N. Y., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the said product be not shipped or sold unless re-branded and properly marked.

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

10230. Adulteration and misbranding of blend sirup. U. S. * * * v. 8 Barrels and 5 Barrels of Blend Sirup * * * Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13020, 13021. I. S. Nos. 917-r, 918-r, 919-r. S. Nos. E-2423, E-2424.)

On July 13, 1920, the United States attorney for the Middle District of Pennsylvania, 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 8 barrels and 5 barrels of blend sirup, remaining in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by the Cuban Refining Co., Rochester, N. Y., on or about May 14 and 24 and June 3, 1920, respectively, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Shipping package) "Blend Syrup"; (shipping tag) "Order of Cuban Refining Company Rochester N. Y. * * *"

Adulteration of the article was alleged in the libels for the reason that maltose and saccharin had been substituted wholly or in part for the said article; for the further reason that it had been mixed in a manner whereby its inferiority was concealed; and for the further reason that the said article contained an added poisonous and deleterious ingredient, to wit, saccharin, which might render it injurious to health.

Misbranding was alleged for the reason that the statement, to wit, "Blend Syrup," was false and misleading and deceived and misled the purchaser in that the said article was not a blend sirup, but was, in truth and in fact, a composition consisting of maltose sirup, containing saccharin. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Blend Syrup."

On July 2, 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.

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

10231. Adulteration of coal-tar color. U. S. * * * v. 2 Pounds of Coal-Tar Color. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14801. I. S. No. 7868-t. S. No. E-3214.)

On April 18, 1921, the United States attorney for the Middle District of Pennsylvania, 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 2 pounds of coal-tar color, remaining unsold in the original unbroken packages at York, Pa., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about April 10, 1921, and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "W. B. Wood Mfg. Co., St. Louis, Mo., * * * Red."

Adulteration of the article was alleged in the libel for the reason that sodium sulphate and sodium chlorid had been mixed and packed with, and substituted wholly or in part for, the said article. Adulteration was alleged for the further reason that the article contained an added poisonous and deleterious ingredient, to wit, arsenic, which might render it injurious to health.

On October 1, 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.*

10232. Adulteration and misbranding of vinegar. U. S. * * * v. Maine Pickling Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 14926. I. S. No. 13210-r.)

On August 18, 1921, 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 an information against the Maine Pickling Co., a corporation, Portland, Me., alleging shipment by said company, on or about January 14, 1920, in violation of the Food and Drugs Act, as amended, from the State of Maine into the State of New Hampshire, of a quantity of vinegar which was adulterated and misbranded. The article was labeled in part, "Maine Brand Sugar Vinegar * * * Maine Pickling Co., Portland, Me. * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of distilled vinegar colored with caramel.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, distilled vinegar, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for sugar vinegar, which the said article purported to be. Adulteration was alleged for the further reason that the article was a product inferior to sugar vinegar, to wit, a mixture composed in part of distilled vinegar, and was colored with caramel so as to simulate the appearance of sugar vinegar and in a manner whereby its inferiority to said sugar vinegar was concealed.

Misbranding was alleged for the reason that the statement, to wit, "Sugar Vinegar," borne on the labels attached to the bottles containing the article, regarding the article and the ingredients and substances contained therein,