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On March 29, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$250 and costs.

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

10314. Adulteration of shell eggs. U. S. * * * v. Allan W. Campbell and Leslie Campbell (Cash Mercantile Co.). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 14555. I. S. No. 372-t.)

On August 3, 1921, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Allan W. Campbell and Leslie Campbell, copartners, trading as the Cash Mercantile Co., Nowata, Okla., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 27, 1920, from the State of Oklahoma into the State of Kansas, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of the 720 eggs involved in the consignment showed the presence of 109, or 15.14 per cent, inedible eggs, consisting of black rots, mixed or white rots, spot rots, heavy blood rings, blood rots and chick rots.

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 March 29, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 and costs.

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

10315. Adulteration of walnut meats. U. S. * * * v. 5 Cases of * * * Walnut Meats. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14675. I. S. No. 10599-t. S. No. W-894.)

On March 24, 1921, the United States attorney for the District of Oregon, 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 5 cases of walnut meats, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by Thomas W. Simmons & Co., San Francisco, Calif., February 21, 1921, and transported from the State of California into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On March 27, 1922, 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.*

10316. Misbranding of Lung Germine. U. S. * * * v. 9 Bottles of * * * Lung Germine * * * Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15113. I. S. No. 10930-t. S. No. W-992.)

On July 6, 1921, the United States attorney for the District of Oregon, 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 9 bottles of Lung Germine, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Lung Germine Co., Jackson, Mich., June 9, 1921, and transported from the State of Michigan into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphuric acid, alcohol, and water, with small amounts of material derived from cod-liver oil, iron sulphate, and spices.

Misbranding of the article was alleged in substance in the libel for the reason that the bottles containing the said article failed to bear on the labels thereof a statement of the quantity and proportion of alcohol contained therein, in that the article contained 2.25 per cent of alcohol, whereas the labels falsely stated that it contained 10 per cent of alcohol. Further allegations in the libel with

reference to the false and fraudulent statements as to the curative and therapeutic effect of the said article, appearing in the labeling thereof, are substantially the same as those set forth in detail in Notice of Judgment No. 9958, to which reference is made.

On March 27, 1922, 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.*

10317. Misbranding of grape jam. U. S. * * * v. 9 Cases * * * of Grape Jam. Decree ordering release of the product under bond. (F. & D. No. 15662. I. S. No. 15002-t. S. No. E-3780.)

On February 15, 1922, the United States attorney for the Western 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 9 cases of grape jam, at Pittsburgh, Pa., alleging that the article had been shipped by Schühle's Pure Grape Juice Co., Inc., Highland, N. Y., on or about November 28, 1921, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Schühle's * * * Grape Jam * * * Net Weight 1 Pound * * * Schühle's Pure Grape Juice Co., Inc. Highland, Ulster Co. N. Y."

Misbranding of the article was alleged in substance in the libel for the reason that the statement "Net Weight 1 Pound," appearing in the labeling of the said article, was false and misleading and deceived and misled the purchaser in that the said article was short weight. Misbranding was alleged for the further reason that the article 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 13, 1922, Schühle's Pure Grape Juice Co., Inc., having entered an appearance as claimant for the property and having filed a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that all false and misleading statements be removed from the labeling of the article, and that it be sold only in compliance with the provisions of the said Food and Drugs Act, judgment of the court was entered ordering that the product be released to the said claimant upon payment of the costs of the proceedings.

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

10318. Adulteration of tomato paste. U. S. * * * v. 344 Cases * * * of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15663. I. S. Nos. 6726-t, 6727-t. S. No. E-3776.)

On February 16, 1922, the United States attorney for the District of Massachusetts, 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 344 cases of tomato paste, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Felix Gross & Co., San Francisco, Calif., on or about January 12, 1922, and transported from the State of California into the Commonwealth of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Martino Brand Salsa Di Pomodoro Tomato Paste Italian Style * * * Packed By Martinez Canning Co. Martinez, Cal."

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

On March 20, 1922, 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.*

10319. Misbranding of Make-Man tablets. U. S. * * * v. 58 Boxes * * * of Make-Man Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15696. Inv. No. 33746. S. No. C-3321.)

On December 7, 1921, the United States attorney for the Southern 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 for the seizure and condemnation of 58 boxes of Make-Man tablets, at Houston, Tex., alleging