

10768. Adulteration and misbranding of vinegar. U. S. v. 41 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16457. I. S. No. 5606-t. S. No. E-3978.)

On June 26, 1922, 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 a libel for the seizure and condemnation of 41 barrels of vinegar, remaining unsold in the original unbroken packages at Brunswick, Me., consigned by the National Vinegar Co., from Brockton, N. Y., alleging that the article had been shipped on or about April 25, 1922, and transported from the State of New York into the State of Maine, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Pure Cider Vinegar * * * Distributed by National Vinegar Company, Buffalo, N. Y."

Adulteration of the article was alleged in the libel for the reason that distilled vinegar and vinegar made from evaporated apple products had been mixed and packed with and substituted wholly or in part for pure cider vinegar.

Misbranding was alleged for the reason that the statement appearing in the labeling, to wit, "Pure Cider Vinegar," was false and misleading and deceived and misled the purchaser. 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.

On August 11, 1922, the Brockton Products Co., Brockton, N. Y., claimant, having consented to a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant, upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

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

10769. Adulteration of chloroform. U. S. v. 50 Cans of Chloroform. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16597. I. S. No. 14056-t. S. No. W-1149.)

On or about July 8, 1922, 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 50 cans, each containing 1 pound of chloroform, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by Charles Pfizer & Co., Galewood, Ill., on or about May 22, 1922, and transported from the State of Illinois into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "One Pound Chloroform U. S. P."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained impurities decomposable by sulphuric acid.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity, as determined by the test laid down in said Pharmacopœia, official at the time of investigation.

On August 8, 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.*

10770. Misbranding of Madame Dean female pills. U. S. v. 6 Packages of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13653. I. S. No. 9205-t. S. No. E-2721.)

On September 15, 1920, the United States attorney for the Western 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 6 packages of Madame Dean female pills, at Greensboro, N. C., alleging that the article had been shipped on or about January 20, 1919, by Martin Rudy, Lancaster, Pa., and transported from the State of Pennsylvania into the State of North Carolina, and alleging 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 the pills contained quinine, aloes, iron sulphate, senecio flowers and herb, ginger, and cornstarch.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements, appearing in the label of the article regard-