

drugs, including rhubarb and red pepper, water, and a small amount of alcohol, flavored with methyl salicylate; and that the oil of life consisted of approximately 95 per cent of kerosene and small proportions of turpentine oil, tar oil, and camphor, colored with alkanet.

Misbranding of the articles was alleged in substance in the libels for the reason that the above-quoted statements appearing on the said packages, cartons, and bottles and in the accompanying circulars, as the case might be, regarding the curative and therapeutic effect of the said articles, were false and fraudulent in that the said articles did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On June 20, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11060. Adulteration and misbranding of canned clams. U. S. v. 875 Cases of Canned Clams. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 13788, 13789, 13790, 13791, 13792, 13793. I. S. No. 10069-t. S. No. W-776.)

On October 13, 1920, the United States attorney for the Northern District of California, 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 875 cases of canned clams, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the East Machias Packing Co., from New York, N. Y., August 23, 1920, and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Cans) "Atlantic Brand Maine Clams East Machias Packing Co. East Machias, Maine. Contents 5 Oz."

Adulteration of the article was alleged in the libel for the reason that brine had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and had been substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the article was labeled in part as follows, "Contents 5 Oz.," which said label was false and misleading and deceived and misled the purchaser. 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 thereon, the quantity stated not being correct.

On January 10, 1921, the Smith & Nessel Co., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture 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 \$4,500, in conformity with section 10 of the act, conditioned in part that the labeling be corrected to read in part, "Maine Clams In Excessive Brine Contents Minimum 3½ Oz. Clams."

C. F. MARVIN, *Acting Secretary of Agriculture.*

11061. Adulteration and misbranding of chocolate coating. U. S. v. 50 Cases of Chocolate Coating. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15327. I. S. No. 10895-t. S. No. W-1004.)

On August 18, 1921, the United States attorney for the Northern District of California, 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 cases, each containing 10 cakes of chocolate coating, consigned by the Washington Chocolate Co., Seattle, Wash., remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped from Seattle, Wash., March 4, 1921, and transported from the State of Washington into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Washington Chocolate Co. Seattle Manufacturers of Cocoa and Chocolate. Seattle, Washington, U. S. A."

Adulteration of the article was alleged in the libel for the reason that excessive cocoa shells and starch had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that it was mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, and for