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HOWARD M. GORE, *Acting Secretary of Agriculture.*

11516. Adulteration of frozen eggs. U. S. v. James T. Oder (Hastings Poultry Co.). Plea of guilty. Fine, \$5. (F. & D. No. 16419. I. S. No. 887-t.)

On September 19, 1922, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James T. Oder, trading as the Hastings Poultry Co., Hastings, Nebr., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about September 24, 1921, from the State of Nebraska into the State of Illinois, of a quantity of frozen eggs which were adulterated. The article was billed as "Eggs Juice."

Examination of four cans of the article by the Bureau of Chemistry of this department showed that the product had a sharp odor suggestive of moldy nuts, indicating decomposition, and that one of the cans was very moldy.

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

On March 12, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

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11517. Adulteration and misbranding of vinegar. U. S. v. 4 Barrels and 9 Barrels of Vinegar. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 16912, 16913. I. S. No. 1711-v. S. No. E-4213.)

On November 9, 1922, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 13 barrels of vinegar, remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped by the Powell Corp., from Canandaigua, N. Y., on or about September 5, 1922, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Pure Cider Vinegar Made From Apples Reduced To 4% * * * The Powell Corp Canandaigua, N. Y."

Adulteration of the article was alleged in the libels for the reason that distilled vinegar and evaporated apple products vinegar had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding of the article was alleged for the reason that the labels on the barrels containing the said article bore the following statements, designs, and devices, "Pure Cider Vinegar Made From Apples," which were false and misleading and deceived and misled the purchaser in that the said statements, designs, and devices were and were intended to be of such a character as to induce the purchaser to believe that the said article was cider vinegar, when, in truth and in fact, it was not. 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, cider vinegar.

On May 23, 1923, the Powell Corp., Canandaigua, N. Y., having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation and forfeiture were 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 good and sufficient bonds, in conformity with section 10 of the act.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11518. Adulteration and misbranding of assorted jellies. U. S. v. 161 Cases and 56 Cases of Assorted Jellies. Decree of condemnation and forfeiture. Products released under bond. (F. & D. No. 17307. I. S. Nos. 8238-v, 8239-v, 8240-v, 8241-v. S. No. W-1321.)

On March 5, 1923, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and con-

demnation of 217 cases of assorted jellies, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the Sanitary Food Mfg. Co., from Minnesota Transfer, Minn., alleging that the articles had been shipped on or about April 4, 1922, and transported from the State of Minnesota into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: (Jars and cans) "Golden Moon * * * Apple-Raspberry" (or "Apple-Grape," "Apple-Strawberry," or "Apple-Currant,") "Jelly Apple Juice 28% Raspberry" (or "Grape," "Strawberry," or "Currant") "Juice 12% Sugar 60% Sanitary Food Mfg. Co. St. Paul, Minn."

Adulteration of the articles was alleged in the libel for the reason that products composed of pectin, sugar, and tartaric acid, containing little or no fruit juices, had been mixed and packed with and substituted wholly or in part for the respective articles. Adulteration of the apple-grape jelly was alleged for the further reason that it was artificially colored in a manner whereby damage and inferiority were concealed.

Misbranding of the articles was alleged for the reason that the statements, "Apple-Raspberry," "Apple-Grape," "Apple-Strawberry," and "Apple-Currant," appearing on the respective containers of the said jellies, were false and misleading and deceived and misled the purchaser thereof. Misbranding was alleged for the further reason that the articles were imitations of and offered for sale under the distinctive names of other articles.

On June 15, 1923, the Sanitary Food Mfg. Co., St. Paul, Minn., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,108.53, in conformity with section 10 of the act.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11519. Misbranding of Hooper's pills. U. S. v. 191 Packages of Hooper's Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17477. S. No. E-4370.)

On April 27, 1923, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 191 packages of Hooper's pills, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the American Synthetic Co., Philadelphia, Pa., in part on or about January 16 and in part on or about March 15, 1923, and transported from the State of Pennsylvania into the State of Maryland, 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 the pills consisted essentially of aloes and iron sulphate.

Misbranding of the article was alleged in the libel for the reason that the following statements borne on the wrapper accompanying the article, regarding its curative and therapeutic effect, to wit, "* * * perfection in opening obstruction of the vessels * * * cure of disorders peculiarly incident to the Female Sex * * * remedy against those general complaints. the Female Sex are subject to * * * cleanse, purify, and cause a free circulation of the blood * * * for the palpitation of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath * * * scurvy; for all which distempers they are a most excellent and successful remedy * * * should be taken by all women at the age of forty-five * * * to prevent those disorders that usually attend them at that time. * * * a sovereign remedy * * * in all hypochondriac, hysterick, or vapourish disorders * * * strengthen the nerves * * * continue their use till the end is answered." were false and fraudulent in that the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On June 5, 1923, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*