

been shipped from Portland, Me., on or about November 20, 1923, and transported from the State of Maine into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Clyde American Sardines * * * In Mustard Sauce * * * Packed At South Portland, Cumberland Co. Me. By E. W. Brown Co."

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 animal substance.

On December 31, 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.

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

12006. Adulteration of chestnuts. U. S. v. 9 Sacks of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18154. I. S. No. 2927-v. S. No. E-4638.)

On December 12, 1923, the United States attorney for the Eastern 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 praying the seizure and condemnation of 9 sacks of chestnuts, at Philadelphia, Pa., consigned by D. J. Powell, Vesuvius, Va., alleging that the article had been shipped from Vesuvius, Va., on or about October 19, 1923, and transported from the State of Virginia into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "D. J. Powell Montebello Va. Exp. Vesuvius, Va. Net 75#."

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

On December 31, 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.

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

12007. Adulteration and misbranding of vinegar. U. S. v. 34 Barrels of Vinegar. Decree ordering release of product under bond. (F. & D. No. 17855. I. S. Nos. 6947-v, 6950-v. S. No. C-4128.)

On October 11, 1923, the United States attorney for the Eastern 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 praying the seizure and condemnation of 34 barrels of vinegar, at Gainesville, Tex., alleging that the article had been shipped by Russell Jobbers Mills, from Oklahoma City, Okla., in part on or about May 1 and in part on or about August 19, 1923, and transported from the State of Oklahoma into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Special Apple Vinegar Reduced To 4% Acetic Strength * * * Texas."

Adulteration of the article was alleged in the libel for the reason that excessive water had been mixed and packed with and substituted wholly and in part for the said article.

Misbranding was alleged for the reason that the statement, "Apple Vinegar Reduced To 4% Acetic Strength," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On December 24, 1923, the Russell Products Co., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of the court was entered ordering 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 \$200, in conformity with section 10 of the act.

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

12008. Misbranding of crackers and gingersnaps. U. S. v. 3 Cases, et al., of Crackers and 3 Cases of Gingersnaps. Default decrees of condemnation and forfeiture. Products delivered to a charitable institution. (F. & D. No. 17751. I. S. Nos. 11568-v, 11569-v, 11570-v. S. Nos. W-1408, W-1409, W-1410.)

On August 30, 1923, the United States attorney for the District of Nevada, 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 3 cases of crackers, 32 boxes of crackers, and 3 cases of gingersnaps, at Reno, Nev., alleging that the articles had been shipped by

the Purity Biscuit Co., Salt Lake City, Utah, in part July 3 and in part August 3, 1923, and transported from the State of Utah into the State of Nevada, and charging misbranding in violation of the Food and Drugs Act, as amended. The crackers in cases were labeled in part: (Package) "Soda Crackers Made By The Purity Biscuit Company Salt Lake City Minimum Net Weight 1 Lb. 4 Ozs." The crackers in boxes were labeled in part: (Case) "Poinseta * * * Biscuits The Purity Biscuit Company Salt Lake City. Net Wght 3 lbs." The gingersnaps were labeled in part: (Paper barrel) "Ginger * * * Snaps Made By The Purity Biscuit Company Salt Lake City Net Weight 1 Lb. 8 Oz."

Misbranding of the articles was alleged in the libels for the reason that the statements, "1 Lb. 4 Ozs.," "1 Lb. 8 Oz.," and "3 lbs.," appearing in the labeling of the respective articles, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the articles were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 27, 1923, 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 delivered to a charitable institution.

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

12009. Adulteration of mineral water. U. S. v. Texas Carlsbad Water Co., a Corporation. Pleas of guilty. Fine, \$50 and costs. (F. & D. Nos. 9818, 15269. I. S. Nos. 6684-r, 6788-r, 2094-t.)

On August 2, 1919, and February 1, 1922, respectively, the United States attorney for the Northern District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in one count and an information in two counts against the Texas Carlsbad Water Co., Mineral Wells, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, in various consignments, namely, on or about October 31, 1918, from the State of Texas into the State of Missouri, and on or about June 4, 1919, and October 19, 1920, respectively, from the State of Texas into the State of Louisiana, of quantities of mineral water which was adulterated. The article was labeled in part: "Mineral Wells Texas Carlsbad Water * * * From Mineral Wells, Texas. Address Texas Carlsbad Water Co."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the water was polluted.

Adulteration of the article was alleged in the informations for the reason that it consisted wholly or in part of a filthy, decomposed animal or vegetable substance.

On December 10, 1923, pleas of guilty to the first information and to count one of the second information were entered on behalf of the defendant company, and the court imposed fines in the aggregate amount of \$100, together with the costs.

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

12010. Misbranding of Smith's buchu lithia pills. U. S. v. 6 Dozen Boxes, et al., of Smith's Buchu Lithia Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 17973, 17975, 17984. S. Nos. E-4556, E-4557, E-4558.)

On November 7, 1923, the United States attorney for the District of Maine, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 18 dozen small boxes and 2½ dozen large boxes of Smith's buchu lithia pills, at Portland, Me., alleging that the article had been shipped in part by C. F. Smith and in part by W. U. [C. F.] Smith, from Boston, Mass., in various consignments between the dates of August 27 and October 27, 1923, and transported from the State of Massachusetts into the State of Maine, 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 product was an iron oxide-coated pill containing powdered licorice, extracts of plant drugs, including uva ursi and podophyllum, sodium, potassium, lithium and magnesium compounds, including nitrate and citrate, and soap.

Misbranding of the article was alleged in the libels for the reason that the boxes and accompanying circulars bore certain statements regarding the curative or therapeutic effects of the said article, as follows, (box) "For Rheuma-