

United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY

SUPPLEMENT

N. J. 12101-12150

[Approved by the Acting Secretary of Agriculture, Washington, D. C., July 11, 1924]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the Food and Drugs Act]

12101. Adulteration and misbranding of canned oysters. U. S. v. 22 Cases of Oysters. Default decree adjudging product liable to condemnation and forfeiture and ordering its destruction. (F. & D. No. 16661. I. S. No. 6401-v. S. No. C-3724.)

On July 27, 1922, the United States attorney for the Southern District of Illinois, 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 22 cases of oysters, at Decatur, Ill., alleging that the article had been shipped by the Hilton Head Packing Co., Savannah, Ga., on or about May 27, 1922, and transported from the State of Georgia into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Hilton Head Brand * * * Contains 5 Oz. Oyster Meat Oysters * * * Packed By Hilton Head Packing Co. Office: Savannah, Ga."

It was alleged in substance in the libel that the article violated the said act, in that excessive brine had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for the said article.

It was also alleged in substance in the libel that the article further violated the said act, in that the packages and cases and labels bore statements, designs, and devices which were false and misleading and deceived and misled the purchaser, and for the further reason that the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On February 19, 1924, no claimant having appeared for the property, judgment of the court was entered finding the product to be liable to condemnation, and it was ordered by the court that it be destroyed by the United States marshal.

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

12102. Misbranding of quinces. U. S. v. 709 Boxes of Quinces. Consent decree of condemnation and forfeiture. Product released under bond. (F & D. No. 17746. I. S. No. 11867-v. S. No. W-1407.)

On or about August 30, 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 condemnation of 709 boxes of quinces, at Denver, Colo., consigned by the Pacific Fruit Exchange, Walnut Grove, Calif., alleging that the article had

been shipped from Walnut Grove, Calif., on or about August 10, 1923, and transported from the State of California into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Pacific Fruit Exchange Net Weight 45 Lbs. Sunnyside Orchard Mrs. Sol. Runyon Quince Vorden Sacto Co., Cal."

Misbranding of the article was alleged in the libel for the reason that the statement, "Net Weight 45 Lbs.," labeled on the boxes, was false and misleading and deceived and misled the purchaser, since the net weight of each of the said boxes of quinces was less than 45 pounds.

On September 13, 1923, the California Fruit Distributors, claimant, having admitted the allegations of the libel and 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 \$1,000, in conformity with section 10 of the act.

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

12103. Adulteration of canned salmon. U. S. v. 704 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16909. I. S. No. 7748-v. S. No. W-1230.)

On November 9, 1922, the United States attorney for the Western District of Washington, 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 704 cases of canned salmon, at Seattle, Wash., alleging that the article had been shipped by the Alaska Consolidated Canneries, from Quadra, Alaska, September 22, 1922, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Tryet Brand * * * Pink Salmon Packed In Alaska By Southern Alaska Canning Co. Main Office Seattle, Wash., U. S. A."

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

On November 20, 1923, the Southern Alaska Canning Co., Seattle, Wash., claimant, having admitted the allegations of the libel and 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 \$3,500, in conformity with section 10 of the act, conditioned in part that it be sorted under the supervision of this department, the bad portion destroyed and the good portion released.

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

12104. Misbranding of Porose pills, Lozon pills, Lafayette headache powders, and Lafayette cough sirup. U. S. v. 3 Dozen Packages of Porose Pills, 3 Dozen Packages, et al., of Lozon Pills, 11 Dozen Packages, et al., of Lafayette Headache Powders, and 12 Dozen Packages of Lafayette Cough Sirup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 18261, 18262, 18263, 18264, 18265. S. Nos. E-4687, E-4688, E-4691, E-4693, E-4694.)

On January 11, 1924, 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 3 dozen packages of Porose pills, 5 dozen packages of Lozon pills, 58 dozen packages of Lafayette headache powders, and 12 dozen packages of Lafayette cough sirup, consigned by the Lafayette Co., from Berlin, N. H., remaining in the original unbroken packages in various lots at Auburn, Portland, and Lewiston, Me., respectively, alleging that the articles had been shipped from Berlin, N. H., between the dates of October 11, 1922, and September 19, 1923, and transported from the State of New Hampshire into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Porose pills consisted essentially of extracts of plant drugs, including cascara sagrada, nux vomica, and oily matter, iron carbonate, and small amounts of sodium, arsenic, and sulphate, coated with sugar and calcium carbonate and colored red; that the Lozon pills consisted