

of the United States for said district an information against William T. Harris, trading as W. T. Harris & Sons, Danbury, Nebr., alleging shipment by said defendant, in violation of the food and drugs act, on or about August 9, 1922, from the State of Nebraska into the State of Colorado, of a quantity of shell eggs which were adulterated. The article was labeled in part: (Tag) "W. T. Harris & Sons Danbury, Nebr."

Examination by the Bureau of Chemistry of 1,080 eggs from the consignment showed that 204, or 18.88 per cent of those examined, were inedible eggs, consisting of black rots, mixed or white rots, moldy eggs, spot rots, and blood rings.

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

On March 3, 1924, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

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

12213. Misbranding of Dr. Lovett's pills. U. S. v. 5 Gross Bottles of Dr. Lovett's Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16093. I. S. No. 13926-t. S. No. W-1062.)

On April 10, 1922, 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 praying the seizure and condemnation of 5 gross bottles of Dr. Lovett's pills, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Dr. Lovett Medicine Co., from New York, N. Y., on or about July 15, 1921, and transported from the State of New York into the State of California, 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 contained iron, sodium, and potassium carbonates and sulphates, with traces of plant extractives, coated with sugar, starch, and calcium carbonate and colored pink.

Misbranding of the article was alleged in the libel for the reason that it was labeled in part on the wrapper and bottle, and in the circular accompanying the said article, as follows, (wrapper) "This * * * purifier of the blood is * * * the only infallible specific to cure radically and permanently, general debility * * * headache, rheumatism, sexual debility, sterility, malarial fevers, diseases of the liver, syphilis, scrofula, pimples, catarrhs, carbuncles, itch, herpes, tumors, ulcers, and other disorders originating * * * by reason of deleterious impurities of the blood," (bottle) "for curing permanently and radically * * * sexual debility, syphilis, rheumatism, malarial fever, skin diseases and all other diseases of the blood," (circular) "the only infallible specific for curing diseases of the blood. * * * purify the blood * * * removing * * * the causes of nervous prostration * * * clouding of the mind, insomnia, nervous pains of the head, loss of memory, general debility * * * lend themselves in a most admirable manner to the curing of diseases of the liver and the skin, pimples, herpes, malarial fever, rheumatism, rickets, etc., etc., all tumors, ulcers, syphilis, scrofula, pains in the bones * * * wasting * * * pimples * * * Carbuncles And Virulent Tumors * * * Catarrh * * * Sexual Debility * * * Boils And Small Tumors * * * Eczema * * * Cutaneous Diseases * * * Diseases Peculiar To Women * * * Epilepsy * * * Erysipelas * * * Scrofula * * * Spermatorrhoea * * * Sterility * * * Malarial Fevers * * * diseases of the liver * * * Insomnia * * * Wounds And Chronic Ulcers * * * Neuralgia * * * Onanism And Masturbation * * * Nervous Prostration * * * Psoriasis * * * Rheumatism * * * disorders of the blood * * * purifier, energizer and cleanser of the blood for the aged," which said statements were false and fraudulent, since the said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On July 25, 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.*

12214. Misbranding of butter. U. S. v. 1,237 Cartons of Butter. Product released under bond. Costs assessed against claimant. (F. & D. No. 17662. I. S. Nos. 6887-v, 6904-v, 6905-v. S. Nos. C-4073, C-4075.)

On July 23, 1923, the United States attorney for the Western District of Louisiana, 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 1,237 cartons of butter, remaining unsold in the original unbroken packages at Shreveport, La., alleging that the article had been shipped by the Mistletoe Creameries, Fort Worth, Tex., on or about July 11 and 16, 1923, and transported from the State of Texas into the State of Louisiana, and charging misbranding in violation of the food and drugs act, as amended. The article was labeled in part: (Print) "Mistletoe Creamery Butter * * * Mistletoe Creameries * * * Fort Worth, Texas One Pound Net."

Misbranding of the article was alleged in the libel for the reason that the labels bore the statement, "One Pound Net," which 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 on the outside of the package.

On October 19, 1923, the Mistletoe Creameries, Fort Worth, Tex., claimant, having admitted the allegations of the libel and taken the product down under bond, judgment of the court was entered, ordering that the claimant pay the costs of the proceedings and that the libel be dismissed.

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

12215. Adulteration and misbranding of sirup. U. S. v. 4 Cases of Sirup. Default decree of condemnation, forfeiture, and sale, with proviso that product might be released under bond if claimant should appear. (F. & D. No. 18302. I. S. No. 20609-v. S. No. W-1475.)

On February 14, 1924, the United States attorney for the District of Wyoming, 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 4 cases of sirup, remaining unsold in the original unbroken packages at Osage, Wyo., consigned by the Early Coffee Co., Denver, Colo., alleging that the article had been shipped from Denver, Colo., on or about January 29, 1924, and transported from the State of Colorado into the State of Wyoming, and charging adulteration and misbranding in violation of the food and drugs act, as amended. The article was labeled in part: (Can) "T. J. E. Maple Flavored Table Syrup Blended with Cane Sugar * * * Only * * * 'After All None So Good' The Early Coffee Co."

Adulteration of the article was alleged in the libel for the reason that glucose 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 article.

Misbranding of the article was alleged in substance for the reason that the statement appearing in the labeling, regarding the ingredients and substances contained in the said article, "Maple Flavored Table Syrup Blended with Cane Sugar * * * Only," was false and misleading and deceived and misled the purchaser, in that the article contained glucose. Misbranding was alleged for the further reason that the article was an imitation and was offered for sale under the distinctive name of another article, and for the further reason that it was [food] in package form and the contents was not plainly and correctly stated in terms of weight or measure on the outside of each of said packages.

On March 20, 1924, 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 sold by the United States marshal, with the proviso that it might be released to the owner upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

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

12216. Misbranding of salad oil. U. S. v. 49 Cases and 83 Cases of Salad Oil. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. No. 18384. I. S. Nos. 15979-v, 15980-v. S. No. B-4732.)

On February 13, 1924, the United States attorney for the Southern District of New York, 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 49 cases, each containing 10 1-gallon cans, and 83 cases, each containing 1 5-gallon can of salad oil, at New York, N. Y., alleging that the article had been shipped by the Portsmouth Cotton Oil & Refining Co. [Portsmouth Cotton Oil Refining Corp.], from Portsmouth, Va., on or about January 21, 1924, and transported from the State of Virginia into the State of New York, and charging misbranding in violation of the food and drugs act, as amended. The article was labeled in part: (Can) "One Gallon" (or "Five