

article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label, small size) "A Blood Purifier Recommended For Treatment Of Rheumatism \* \* \* In severe cases take \* \* \* until relieved;" (carton, large size) "Rheumatism \* \* \* Sciatica, Lumbago, Lame Back, Uric and Lactic Acid Conditions, Blood Disorders, Eczema, Chronic Sores and similar affections arising from bad blood;" (carton, small size) "Blood Purifier Recommended for disorders caused by impure blood As Eczema, Chronic Sores and constitutional blood diseases, Rheumatism \* \* \* Sciatica, Lumbago, Lame Back, Uric and Lactic Acid conditions;" (circular, small size) "A Reliable Blood Purifier \* \* \* A Treatment for Rheumatism \* \* \* Sciatica, Lumbago, Lame Back, Blood Disorders, Eczema, Chronic Sores and Similar Diseases Caused by Bad Blood \* \* \* In the treatment of Scrofula, Rheumatism, certain Catarrhal Conditions, Hereditary Blood Taints, Diseases of the Bones, Ulcerous Sores, Prescription C-2223 has been recommended and used for many years. Helpless, unhappy persons who had given up all hope of relief, have found in this Blood Purifier a means of relief. Men, women and even children, whose energy has been sapped and their life almost wrecked, who were troubled with festering sores or tortured with rheumatic pains, have been relieved from the grip of these diseases, after the continued use of or treatment with Prescription C-2223 \* \* \* 'In conditions due to tainted blood it acts as a specific;' \* \* \* 'the most valuable remedy known in the treatment of rheumatism; it eases the pain, diminishes the fever—results are almost certain in acute \* \* \* cases' \* \* \* Prescription C-2223 has relieved \* \* \* many thousands, suffering from Rheumatism \* \* \* Lumbago, Sciatica, diseases due to tainted or impure blood, evidenced by chronic Sores, Scrofula, Eczema and other similar conditions of the skin;" (bottle label, large size). "For The Treatment of Rheumatic and Blood Disorders \* \* \* In severe cases take \* \* \* until relieved;" (circular, large size) "Recommended for Treatment of Rheumatism, Lumbago, Lame Back, Uric and Lactic Acid Conditions, Blood Disorders, Eczema, Chronic Sores, and Similar Diseases Caused by Bad Blood \* \* \* A Treatment for Conditions Caused by Impure Blood \* \* \* skin eruptions, swelling of the glands and joints, falling hair and sores on different parts of the body, limbs and face. \* \* \* You can alleviate these troubles caused by bad blood by taking Prescription C-2223, a blood purifier of merit. The \* \* \* ingredients \* \* \* sweep out the impurities and purify the blood. \* \* \* A Treatment for Uric, Lactic or Other Acid Conditions of the Blood \* \* \* Sciatica, \* \* \* Prescription C-2223 drives the poisons from the body by purifying the blood and eliminating the impurities."

On April 15, 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 destroyed by the United States marshal.

HOWARD M. GORE, *Secretary of Agriculture.*

**12485. Adulteration and misbranding of oats. U. S. v. 250 Sacks of Oats. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled and reconditioned. (F. & D. No. 18649. I. S. No. 18043-v. S. No. E-3919.)**

On May 9, 1924, the United States attorney for the Western District of South Carolina, 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 250 sacks of oats, at Anderson, S. C., alleging that the article had been shipped by Embry E. Anderson, from Nashville, Tenn., on or about April 19, 1924, and transported from the State of Tennessee into the State of South Carolina, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part "\* \* \* Daisy Mixed Oats Other grains recleaned and bleached," the words "Daisy Mixed Oats" being in large letters and the words "Other grains" being in small inconspicuous type.

Adulteration of the article was alleged in the libel in that substances, to wit, screenings, added moisture, and salt, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation, "Daisy Mixed Oats Recleaned," was false and misleading and deceived and misled the purchaser in that the statement "Other grains" did not correct the misleading

impression conveyed. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On June 3, 1924, Embry E. Anderson, Memphis, Tenn., 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 \$500, in conformity with section 10 of the act, conditioned in part that the moisture content be reduced to 13 per cent or under and that the product be relabeled to show that it was recleaned screenings and white oats, sulphur bleached, with added salt, and to give the correct weight of the contents of the said sacks.

HOWARD M. GORE, *Secretary of Agriculture.*

**12486. Misbranding of tea. U. S. v. 2 Cases of Tea. Decree of condemnation, forfeiture, and sale, with proviso that the product might be released under bond if claimant appeared. (F. & D. No. 18293. I. S. No. 20612-v. S. No. W-1474.)**

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 2 cases of tea remaining in the original unbroken packages at Buffalo, Wyo., alleging that the article had been shipped by the Early Coffee Co., Denver Colo., on or about January 30, 1924, and transported from the State of Colorado into the State of Wyoming, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Pound Early's Breakfast \* \* \* Tea \* \* \* Guaranteed under the Pure Food and Drugs Act June 30, 1906. Packed by T. J. Early Coffee Co. Denver, Colo." The article was further labeled: "Japan," "Ceylon," or "Gunpowder," as the case might be.

Misbranding was alleged with respect to all the product for the reason that the labels stated that each of the packages contained 1 pound of the article, whereas each of said packages contained less than 1 pound, and for the further reason that the product was [food] in package form and the [quantity of the] contents was not plainly and correctly stated on the outside of the said packages. Misbranding was alleged with respect to a portion of the article for the reason that the statement "Ceylon," appearing on the labels of the cartons containing the said portion, was false and misleading in that it represented that the said cartons contained Ceylon tea, whereas, in truth and in fact, they did not, and for the further reason that the product was offered for sale under the distinctive name of another article, in that it was not Ceylon tea but was of another and inferior variety.

On March 20, 1924, no claimant having appeared for the property, with the exception of the Wyoming Railway Co., which claimed a lien for unpaid freight charges, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal and the freight charges paid, the decree providing, however, that upon the 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, the product might be released to the owner, should such owner appear.

HOWARD M. GORE, *Secretary of Agriculture.*

**12487. Adulteration of canned corn. U. S. v. 828 Cases of Canned Corn. Consent decree ordering product sold for hog feed. (F. & D. No. 18686. I. S. No. 5993-v. S. No. C-4028.)**

On May 15, 1924, 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 828 cases of canned corn remaining in the original unbroken packages at Jacksonville, Texas, alleging that the article had been shipped by C. W. Baker & Sons, from Middletown, Del., March 15, 1924, and transported from the State of Delaware into the State of Texas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Appo Brand \* \* \* Hearts Of Corn And Sugar Corn \* \* \* Packed by H. R. Baker, Odessa, Del."

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