

and condemnation of 19 cases of canned cherries, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Webster Canning & Preserving Co., from Webster, N. Y., on or about July 22, 1925, and transported from the State of New York into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Pitted Red Cherries Natural Juice * * * Packed By Webster Canning & Preserving Co. Webster, N. Y."

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 vegetable substance.

On January 20, 1926, the Webster Canning Co., Webster, N. Y., having intervened, judgment of condemnation was entered, and it was ordered by the court that the product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, conditioned in part that it not be sold or disposed of until reconditioned, and inspected and approved by this department.

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

14218. Misbranding of coffee. U. S. v. 25 Tins, et al., of Coffee. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 20517, 20608, 20609, 20624. I. S. Nos. 3876-x to 3880-x, incl., 9531-x. S. Nos. C-4842, C-4864, C-4865, C-4870.)

On or about October 21 and November 13, 14, and 18, 1925, respectively, the United States attorney for the Eastern District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 186 tins of coffee, remaining in the original unbroken packages in various lots, at Tyler, Gilmer, Henderson and Longview, Tex., respectively, alleging that the article had been shipped by the Cuban Coffee Mills, from Shreveport, La., in various consignments, on or about August 25, September 8 and 12, October 10 and 27, and November 2, 1925, respectively, and transported from the State of Louisiana into the State of Texas, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Cuban S. P. B. Blend."

Examination of the article by the Bureau of Chemistry of this department showed that it contained chicory.

Misbranding of the article was alleged in the libels for the reason that it was offered for sale under the distinctive name of another article.

On January 26 and February 15, 1926, respectively, the Cuban Coffee Mills, Shreveport, La., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgment 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 bonds in the aggregate sum of \$2,000, and that it be properly relabeled.

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

14219. Misbranding of DuBois pacific pills. U. S. v. 16 Packages of DuBois Pacific (Pacific) Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14686. I. S. No. 10519-t. S. No. W-899.)

On March 30, 1921, 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 16 packages of DuBois pacific (pacific) pills, remaining in the original unbroken packages at Sacramento, Calif., alleging that the article had been shipped by W. J. Baumgartner, from Detroit, Mich., January 7, 1921, and transported from the State of Michigan into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that the pills contained aloes and iron sulphate, with a coating of sugar and calcium carbonate.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled on the circular enclosed in the box containing the said article as follows: "DuBois Pills * * * Reliable Female Tonic and Regulator * * * a female tonic and regulator of menstrual disturbances and for relieving general female disorders. Needless pain and suffering may

be prevented by the use of DuBois Pills * * * a female tonic exerting helpful medicinal action over the female organs * * * of utmost value in assisting in the relieving of pain, due to leucorrhoea, etc., and regulating the menses * * * suppressed menstruation, painful menstruation * * * For leucorrhoea * * * In cases of menstrual disturbances the course of treatment may be commenced at any time when the indications suggest that the menstrual period is delayed due to taking cold or exposure * * * When the period is irregular," which statements were false and fraudulent, since the said article contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed. Misbranding was alleged for the further reason that the statement in the circular, "DuBois Pills which are purely vegetable," was false and misleading.

On March 2, 1926, 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.*

14220. Adulteration of tomato puree and tomato catsup. U. S. v. 94 Cases of Tomato Puree and 96 Cases, et al., of Tomato Catsup. Consent decree of condemnation and forfeiture. Products released under bond. (F. & D. Nos. 20537, 20538. I. S. Nos. 1927-x, 1929-x, 1930-x. S. No. C-4844.)

On October 29, 1925, the United States attorney for the Southern District of Ohio, 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 94 cases of canned tomato puree, and 96 cases, each containing 24 bottles, and 150 cases, each containing 6 jugs, of tomato catsup, at Cincinnati, Ohio, alleging that the articles had been shipped in interstate commerce from Carthage, Ind., into the State of Ohio, and charging adulteration in violation of the food and drugs act. The puree was labeled: (Case) "Eaton's Tomato Puree." The catsup was labeled in part: (Bottle) "Kardinal Brand Tomato Catsup * * * Manufactured By DeSchipper Canning Co., Carthage, Ind.," (jug) "Kardinal Brand Tomato Catsup * * * Packed By DeSchipper Canning Co. Carthage, Ind."

Adulteration of the articles was alleged in the libel for the reason that they consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On February 4, 1926, the DeSchipper Canning Co., Carthage, Ind., 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 products be released to the said claimant for salvaging or relabeling under the supervision of this department, upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

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

14221. Adulteration of shell eggs. U. S. v. Horace Hill (Pittsburg Produce Co.). Plea of guilty. Fine, \$25. (F. & D. No. 19710. I. S. No. 3614-x.)

On November 28, 1925, 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 an information against Horace Hill, trading as the Pittsburg Produce Co., Pittsburg, Tex., alleging shipment by said defendant, in violation of the food and drugs act, on or about July 10, 1925, from the State of Texas into the State of Louisiana, of a quantity of shell eggs which were adulterated. The article was labeled in part: "From Pittsburg Produce Co. Pittsburg, Texas."

Examination by the Bureau of Chemistry of this department of the case of 360 eggs, which comprised the shipment, showed that 116, or 32.2 per cent, were inedible eggs, consisting of mixed rots, 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 putrid and decomposed animal substance.

On February 25, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

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