

reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, and that the packages each contained 1 pound net thereof, whereas it did not contain 80 per cent by weight of milk fat but did contain a less amount, and the said packages contained less than 1 pound net of butter. 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 April 22, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

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

14242. Adulteration and misbranding of feed. U. S. v. Hales & Hunter Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 19670. I. S. Nos. 9119-v, 9120-v.)

On September 26, 1925, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Hales & Hunter Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the food and drugs act, in two consignments, namely, on or about August 13 and October 30, 1924, respectively, from the State of Illinois into the State of Indiana, of quantities of feed which was adulterated and misbranded. The article was labeled in part: (Tag) "Hales & Edwards Company, of Chicago, Ill., Guarantees this Greeno Feed * * * to be compounded from the following ingredients: Alfalfa And Molasses."

Adulteration of the article was alleged in the information for the reason that substances, to wit, ground screenings and other foreign materials, with respect to one of the shipments, and oat hulls and ground screenings, with respect to the other shipment, had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for a feed compounded solely from alfalfa and molasses, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Compounded from the following ingredients: Alfalfa And Molasses," borne on the tags attached to the sacks containing the article, was false and misleading, in that the said statement represented that the article was compounded solely from alfalfa and molasses, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was compounded solely from alfalfa and molasses, whereas it was compounded in part from other ingredients, in that one of the shipments contained ground screenings and other foreign materials, and the other shipment contained oat hulls and ground screenings, which other ingredients were not declared on the tag.

On April 22, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

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

14243. Misbranding of Bowman's abortion remedy. U. S. v. 9 Boxes of Bowman's Abortion Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20410. I. S. No. 2403-x. S. No. C-4816.)

On September 4, 1925, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 boxes, 9½ pounds each, of Bowman's abortion remedy, at Hastings, Nebr., alleging that the article had been shipped by the Erick Bowman Remedy Co., Owatonna, Minn., in two consignments, on or about August 15 and 17, 1925, respectively, and transported from the State of Minnesota into the State of Nebraska, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Inside of flap of carton) "Bowman's Abortion Remedy" and "This Package contains one 9½-pound treatment of Bowman's Abortion Remedy. Read The directions carefully before administering."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of a mixture of brown sugar and

wheat shorts, with traces of calcium and sulphur compounds and a phenolic substance.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effect of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effect claimed.

On March 8, 1926, no claimant having appeared for the property, a decree of the court was entered, adjudging that the product be condemned as being in violation of the act, and further decreeing that it be destroyed by the United States marshal.

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

14244. Adulteration and misbranding of vinegar. U. S. v. John D. Bates. Plea of guilty. Fine, \$20. (F. & D. No. 19650. I. S. No. 19487-v.)

On August 6, 1925, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John D. Bates, a member of the Ozark Fruit Co., a copartnership, Fort Smith, Ark., alleging shipment by said defendant, in violation of the food and drugs act, on or about July 11, 1924, from the State of Arkansas into the State of Oklahoma, of a quantity of vinegar which was adulterated and misbranded. The article was labeled in part: "'Pride of the Ozarks' Distilled—Apple And Sugar Vinegar Compound" (picture of apple) "Ozark Fruit Co., The Bates Organization Little Rock, Ark."

Adulteration of the article was alleged in the information for the reason that a compound consisting of distilled vinegar and sugar vinegar and containing a mere trace of apple vinegar, if any, had been substituted for apple vinegar, which the article purported to be, for the further reason that distilled vinegar and sugar vinegar had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality, and for the further reason that it had been colored with sugar vinegar so as to simulate apple vinegar, in a manner whereby damage and inferiority were concealed.

Misbranding was alleged for the reason that the statement, to wit, "Apple Vinegar," in large prominent type, together with the pictorial design of an apple, borne on the label of the bottle containing the article, was false and misleading, in that they represented that the said article was apple vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was apple vinegar, whereas it was not apple vinegar but was a compound consisting of distilled vinegar and containing but a trace of apple vinegar, if any, and the said article was not labeled so as to indicate plainly that it was a compound, in that the words "Compound," "And Sugar" appeared in small inconspicuous type. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article, to wit, apple vinegar.

On March 5, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

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

14245. Misbranding of cottonseed cake. U. S. v. George A. Simmons, Robert R. Gilliland, James W. Simmons, Jr., and Richard K. Wootten (Quanah Cotton Oil Co.). Pleas of guilty. Fine, \$35. (F. & D. No. 19590. I. S. No. 12321-v.)

On March 17, 1925, the United States attorney for the Northern 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 George A. Simmons, Robert R. Gilliland, James W. Simmons, jr., and Richard K. Wootten, copartners, trading as Quanah Cotton Oil Co., Quanah, Tex., alleging shipment by said defendants, in violation of the food and drugs act as amended, on or about March 1, 1924, from the State of Texas into the State of Kansas, of a quantity of cottonseed cake which was misbranded. The article was labeled in part: "100 Pounds (Net) 43% Protein Cottonseed Cake * * * Manufactured by Quanah Cotton Oil Company, Quanah, Tex."

Examination by the Bureau of Chemistry of this department of 41 sacks of the article from the shipment showed an average net weight of 97.31 pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 Pounds (Net)," borne on the tags attached to the