

14365. Misbranding of Moorite mineral powder. U. S. v. 10½ Dozen Packages, et al., of Moorite Mineral Powder. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20968. I. S. Nos. 799-x, 800-x. S. No. W-1929.)

On March 26, 1926, 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 seizure and condemnation of 10½ dozen 4-ounce packages and 11 dozen 1-pound packages of Moorite mineral powder, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Moorite Products Co., from Seattle, Wash., October 8, 1925, and transported from the State of Washington 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 it consisted of clay.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding its curative and therapeutic effects borne on the carton containing the said article, "contains wonderful Healing Properties and when properly applied equals the best Medicinal Springs * * * Take * * * in any quantity the system may require * * * especially recommended for the treatment of Rheumatism, Neuralgia, Neuritis, Indigestion, Stomach Trouble, Kidney and Liver Trouble, Catarrh, Varicose Veins, Burns, Scalds, in fact all inflamed conditions * * * Purifies the Blood Aids Digestion Eliminates Bowel and Stomach Gases, Relieves Aches and Pains, Unequalled for Scalds and Burns," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On or about May 14, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14366. Misbranding of fish meal. U. S. v. 100 Sacks of Fish Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19552. I. S. No. 10685-v. S. No. C-4627.)

On February 3, 1925, the United States attorney for the District of Minnesota, 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 100 sacks of fish meal, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by the Potomac Poultry Food Co., from Baltimore, Md., October 10, 1924, and transported from the State of Maryland into the State of Minnesota, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Chesapeake Bay Brand Fish Meal. Guaranteed Analysis Protein (minimum) 57% Manufactured By J. H. Cottman and Company, Baltimore, Md."

Misbranding of the article was alleged in the libel for the reason that the statement "Guaranteed Analysis Protein (minimum) 57%," borne on the labels, was false and misleading and deceived and misled the purchaser.

On April 11, 1925, R. L. Gould & Co., St. Paul, Minn., having appeared as claimant for the property 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 \$300, conditioned in part that it be relabeled and made to comply with the law.

W. M. JARDINE, *Secretary of Agriculture.*

14367. Adulteration of tomato catsup. U. S. v. 430 Cases of Tomato Catsup. Consent decree of condemnation, forfeiture and destruction. (F. & D. No. 20764. I. S. No. 6975-x. S. No. E-5610.)

On January 11, 1926, the United States attorney for the District of Connecticut, 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 430 cases of tomato catsup, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by W. E. Robinson & Co., Laurel, Delaware, on or about November 25, 1925, and transported from the State of Delaware into the State of Connecticut, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Polo Catsup."

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

On May 25, 1926, the Davis Canning Co., Laurel, Del., having entered an appearance 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 destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14368. (Supplement to Notice of Judgment No. 13528.) Misbranding of meat and bone scrap. U. S. v. 359 Bags of Meat and Bone Scrap. Consent decree of forfeiture. Product released under bond. (F. & D. No. 19981. I. S. No. 14114-v. S. No. E-5271.)

On January 14, 1926, an order of the court was entered, vacating the decree of destruction theretofore entered in the above case involving the shipment of 359 bags of misbranded meat and bone scrap, shipped by the Mutual Rendering Co., from the State of Pennsylvania into the State of New Jersey. On the same date, the Mutual Rendering Co., Inc., Philadelphia, Pa., having appeared as claimant for the property 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 \$1,000, conditioned in part that it not be sold or shipped unless relabeled in part: "Guaranteed Analysis Protein 42% Min., Grease 10% Min., Fibre 2% Max., B. P. L. 15% Max."

W. M. JARDINE, *Secretary of Agriculture.*

14369. Adulteration and misbranding of butter. U. S. v. 26 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21158. I. S. No. 8162-x. S. No. E-5742.)

On June 21, 1926, 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 seizure and condemnation of 26 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Farmers Creamery, Garber, Iowa, on or about June 10, 1926, and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

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

On July 7, 1926, the Farmers Creamery Co., Garber, Iowa, claimant, having admitted the allegations of the libel and having consented to the entry of a decree and to recondition the product so that it would contain at least 80 per cent of butterfat, 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 \$1,300, conditioned in part that it be reworked and reprocessed so that it would comply with the law.

W. M. JARDINE, *Secretary of Agriculture.*

14370. Misbranding of cottonseed meal and cottonseed cake. U. S. v. 300 Sacks of Cottonseed Meal, et al. Decrees entered adjudging products misbranded and ordering their release under bond. (F. & D. Nos. 20798, 20919. I. S. Nos. 365-x, 366-x, 431-x. S. Nos. W-1855, W-1915.)

On February 2 and March 11, 1926, respectively, the United States attorney for the District of Colorado, 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 478 sacks of cottonseed meal and 100 sacks of cottonseed cake, remaining in the original unbroken packages in part at Denver, Colo., and in part at Colorado Springs, Colo., consigned by the Quanah Cotton Oil Co., Quanah, Tex., alleging that the articles had been shipped from Quanah, Tex., in part on or about January 18, 1926, and in part on or about