

branding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle label) "Bronchitis Laryngitis Asthma Whooping Cough Pulmonary Phthisis And Other Respiratory Affections In Which A Mild Sedative Or Expectorant Is Required. * * * Allays Cough, Promotes Expectoration, Exerts A Soothing Influence On The Inflamed Mucous Membrane Of The Bronchial And Pulmonary Passages And Relieves Congestion Of The Respiratory Organs * * * Dose * * * Repeated * * * Until Cough Is Allayed And Respiratory Discomfort Is Overcome," (carton) "Bronchitis Laryngitis Asthma Whooping Cough Pulmonary Phthisis * * * And Other Respiratory Affections in Which A Mild Sedative Or Expectorant Is Required * * * Allays Cough Promotes Expectoration * * * Exerts A Soothing Influence On The Inflamed Mucous Membrane Of The Respiratory Passages."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of ammonium chloride, sodium bromide, glycerin, sugar, alcohol, and water, with traces of terpin hydrate, an alkaloid, a phenolic compound, and menthol.

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

On August 5, 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.*

14570. Adulteration and misbranding of canned tuna fish. U. S. v. 7½ Cases of Tuna Fish. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19920. I. S. No. 15624-v. S. No. E-3267.)

On March 25, 1925, the United States attorney for the Western District of Pennsylvania, 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 7½ cases of tuna fish, at Pittsburgh, Pa., alleging that the article had been shipped by the M. DeBruyn Importing Co., from New York, N. Y., on or about February 18, 1925, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Juanita Brand California Tuna Standard All Light Meat * * * Bisco Distributing Co. New York," (case) "Juanita Light Meat Tuna."

Adulteration of the article was alleged in the libel for the reason that a substance, yellowtail, had been mixed and packed therewith so as to reduce, lower or 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 statements "Light Meat Tuna," "California Tuna Standard All Light Meat," borne on the labels, were false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On August 5, 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.*

14571. Adulteration and misbranding of cocoa powder. U. S. v. 13 Cases of Cocoa Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21139. I. S. No. 7285-x. S. No. E-5788.)

On June 19, 1926, the United States attorney for the District of Maryland, 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 13 cases of cocoa powder, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Chocolate Refiners, Inc., from Mansfield, Mass., on or about February 13, 1926, and transported from the State of Massachusetts into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Gilberts Pure Cocoa Powder * * * Manufactured By Chocolate Refiners Inc. Mansfield, Mass."