

condemnation of 9 bags of worm seed, remaining in the original unbroken packages at Sioux Falls, S. Dak., alleging that the article had been shipped by the Murray & Nickell Mfg. Co., South Elgin, Ill., on or about December 6, 1924, and transported from the State of Illinois into the State of South Dakota, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that its strength fell below the professed standard and quality under which it was sold, since it contained practically none of the volatile oil which is the medicinally active ingredient of the article, and had a rancid odor.

Misbranding was alleged for the reason that the statement "Worm Seed," borne on the tag attached to the bags containing the article, was misleading, in that the term "Worm Seed" implies a normal sound product, whereas the said article was rancid and practically devoid of all essential oil.

On December 28, 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.*

**14882. Misbranding of Sal Tonik. U. S. v. 5 Packages and 11 Packages of Sal Tonik. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 18012, 18013. I. S. Nos. 5652-v, 5653-v. S. Nos. C-4163, C-4165.)**

On November 23, 1923, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 16 packages, 50-pound blocks, of Sal Tonik, remaining in the original unbroken packages, in part at Flandreau, S. Dak., and in part at Ward, S. Dak., alleging shipment in two consignments, on or about September 24 and 25, 1923, respectively, by the Guarantee Veterinary Co., Sioux City, Iowa, alleging that the article had been shipped in interstate commerce from Sioux City, Iowa, into the State of South Dakota, 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 essentially of 89.3 per cent of salt (sodium chloride) and contained small amounts of sulphur, sodium sulphate, sodium carbonate, iron oxide, and calcium carbonate, with traces of a magnesium compound and plant material.

It was alleged in the libels that the article was misbranded in violation of section 8 of the act, general paragraph under drugs, in that the labeling stated "Red Pepper (Capsicum) present," whereas analysis showed it to be absent. It was further alleged that the article was misbranded, in that the following statements regarding the curative and therapeutic effects of the said article, borne on the labels, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton and circular) "Disease Preventive Worm Destroyer," (circular) "Composed of \* \* \* worm destroying drugs \* \* \* worm destroyers \* \* \* is a Vermifuge (Worm Destroyer) \* \* \* stock \* \* \* will Doctor Themselves Automatically \* \* \* supplies them with \* \* \* vermifuges (worm destroyers) just When and Where your hogs \* \* \* sheep \* \* \* cows \* \* \* horses need them and Doctors Them Automatically \* \* \* positively destroys stomach worms and free intestinal worms As Soon As They Are Hatched \* \* \* this is the \* \* \* way to rid your stock of worms \* \* \* prevents many diseases caused by these worms \* \* \* works along the lines of prevention: that is Kill The Worm While It Is Small \* \* \* Is intended to keep your animals From Getting Sick \* \* \* to Destroy The Worm As Soon As It Is Hatched."

On December 28, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

**14883. Adulteration and misbranding of butter. U. S. v. Harrow-Taylor Butter Co. Plea of guilty. Fine, \$52. (F. & D. No. 21553. I. S. Nos. 14854-v, 22358-v.)**

On December 16, 1926, the United States attorney for the Western District of Missouri, 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 Harrow-Taylor Butter Co., Kansas City, Mo., alleging shipment by said

company, in violation of the food and drugs act, in two consignments, on or about January 28 and June 11, 1925, respectively, from the State of Missouri into the State of Louisiana, of quantities of butter which was adulterated and misbranded. The article was labeled in part: "Butter."

Analysis by the Bureau of Chemistry of this department of eight subdivisions from each shipment showed an average of 77.6 per cent and 78.9 per cent of milk fat.

Adulteration of the article was alleged in the information for the reason that a substance containing less than 80 per cent by weight of milk fat had been substituted for butter, a product which must contain not less than 80 per cent by weight of milk fat as defined and prescribed by the act of Congress of March 4, 1923, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Butter," borne on the tubs containing the article, was false and misleading, in that the said statement represented that the article was butter, to wit, a product containing not less than 80 per cent by weight of milk fat 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 butter, to wit, a product containing not less than 80 per cent by weight of milk fat, whereas it was not butter as defined and prescribed by law but was a product containing less than 80 per cent by weight of milk fat. 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, butter.

On December 28, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$52.

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

**14884. Misbranding and alleged adulteration of orange product. U. S. v. 10 Cases of Orange Product. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21372. I. S. No. 11049-x. S. No. W-2040.)**

On November 11, 1926, the United States attorney for the Western District of Washington, 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 10 cases of orange product, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Snyder Confectionery Co., from Los Angeles, Calif., September 29, 1926, and transported from the State of California into the State of Washington, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can, red label) "Snyder's Condensed Nu-Orange," (blue label) "Snyder's Nu-Orange Marma-Jam A Wholesome, Delicious Natural Product Specially Processed By Snyder Fruit Confection Co. Glendale, California."

Adulteration of the article was alleged in the libel for the reason that orange pulp containing peel from which the juice had been pressed 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, and for the further reason that a valuable constituent, orange juice, had been wholly or in part abstracted from the said article.

Misbranding was alleged for the reason that the statement "Snyder's Nu-Orange Marma-Jam" borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of and was offered for sale under the distinctive name of another article.

On January 11, 1927, no claimant having appeared for the property, judgment of the court was entered, finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be destroyed by the United States marshal.

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

**14885. Adulteration of canned blackberries. U. S. v. 486 Cases of Blackberries. Default decree of destruction entered. (F. & D. No. 21104. I. S. No. 10644-x. S. No. W-1986.)**

On June 5, 1926, the United States attorney for the District of Utah, 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 486 cases of canned blackberries, remaining in the original unbroken packages at Ogden, Utah, alleging that the article had been shipped by J. A. Stewart, from