

and injuriously affect its quality and strength, and for the further reason that acidified pectin jelly had been substituted wholly or in part for fruit jelly.

Misbranding was alleged for the reason that the statement "Red Currant Jelly," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was sold under the distinctive name of another article.

On September 14, 1928, the Goodwin Preserving Co., Louisville, Ky., 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 costs and the execution of a bond in the sum of \$500, conditioned in part that it be made to conform with the provisions of the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16004. Adulteration and misbranding of dairy feed. U. S. v. 32 Bags of Dairy Feed. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22697. I. S. No. 20378-x. S. No. 733.)

On April 6, 1928, the United States attorney for the Northern District of West Virginia, 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 32 bags of dairy feed, remaining unsold in the original packages at Romney, W. Va., alleging that the article had been shipped by Deal Bros. Milling Co., from Cumberland, Md., on or about February 27, 1928, and had been transported from the State of Maryland into the State of West Virginia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Jersey Dairy Feed 16% \* \* \*. Analysis, Protein 16%, Fiber 12% \* \* \* manufactured by Deal Brothers Milling Company, Cumberland, Maryland."

It was alleged in the libel that the article was adulterated in that a substance deficient in protein and containing excessive fiber had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the statement, "16% \* \* \* Analysis, Protein 16%, Fiber 12%," borne on the label, was false and misleading and deceived and misled the purchaser.

On July 13, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16005. Adulteration of canned sardines. U. S. v. 7½ Cases of Sardines. Default order of destruction entered.** (F. & D. No. 23045. I. S. No. 02527. S. No. 1132.)

On September 4, 1928, the United States attorney for the District of Massachusetts, 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 sardines, remaining in the original unbroken packages at Cambridge, Mass., consigned about June 12, 1928, alleging that the article had been shipped by the Ramsdell Packing Co., Lubec, Me., and transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Stag Brand Packed by Ramsdell Packing Co., Lubec, Washn. Co., Me."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed animal substance.

On October 11, 1928, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16006. Adulteration and misbranding of Odol. U. S. v. 10½ Dozen Bottles of Odol. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22954. S. No. 999.)

On August 3, 1928, the United States attorney for the District of Massachusetts, 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 bottles of Odol, remaining in the original unbroken packages at Boston, Mass., consigned on or about June 5, 1928, alleg-

ing that the article had been shipped by the Odol Corporation, New York, N. Y., and transported from the State of New York into the State of Massachusetts and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of alcohol (78 per cent), salol, and water, flavored with volatile oils, including peppermint oil. Bacteriological examination showed that in the dilution mentioned in the directions for use, the article did not destroy common disease-producing bacteria within 5 minutes.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, that is to say, "antiseptic, \* \* \* Europe's leading antiseptic, \* \* \* highly effective, \* \* \* germ-destroying liquid such as Odol."

Misbranding was alleged for the reason that the following statements upon the label were false and misleading: "Antiseptic. For nearly forty years Odol has been Europe's leading antiseptic \* \* \*. It is \* \* \* highly effective \* \* \*. Use Odol \* \* \* especially at night before retiring. While sleeping germs do their most destructive work." Misbranding was alleged for the further reason that the following statements regarding the therapeutic effects of the article, borne on the label, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "For the \* \* \* Mouth. Throat, and Breath \* \* \*. The world's famous \* \* \* Healing \* \* \* Mouthwash \* \* \*. It Purifies, \* \* \* prevention of pyorrhea—sore and bleeding gums—sore throat—mouth ulcer—Purifying the Breath \* \* \* for the mouth and throat \* \* \*. They do not reach the gums, inner cheeks, tongue, throat, and many other corners, crevices, and cavities, commonly referred to as germ incubators. These parts need a germ-destroying, lasting, soothing liquid such as Odol. Most germs of disease enter the body thru the mouth. Protect and keep it clean with Odol—Health's best safeguard \* \* \*. While sleeping germs do their most destructive work."

On September 26, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16007. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22955. I. S. No. 02404. S. No. 1023.)**

On August 3, 1928, the United States attorney for the District of Massachusetts, 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 1 barrel of frozen poultry, remaining in the original unbroken packages at Boston, Mass., consigned about July 17, 1928, alleging that the article had been shipped by Swift & Co., Shenandoah, Iowa, and transported from the State of Iowa into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On October 11, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16008. Adulteration of canned spinach. U. S. v. 58 Cases of Canned Spinach. Consent decree of condemnation and destruction. (F. & D. No. 22493. I. S. No. 20892-x. S. No. 519.)**

On March 2, 1928, 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 58 cases of canned spinach, remaining in the original unbroken packages at Waterbury, Conn., alleging that the article had been shipped by the D. E. Foote Co. (Inc.), Baltimore, Md., on or about November 9, 1927, and transported from the State of Maryland into the State of Connecticut and charging adul