

## United States Department of Agriculture

### FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

## NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16151-16175

[Approved by the Acting Secretary of Agriculture, Washington, D. C., July 26, 1929]

**16151. Adulteration of frozen poultry. U. S. v. 91 Barrels, et al., of Frozen Poultry. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 22765, 22770. I. S. Nos. 24480-x, 24483-x. S. Nos. 796, 800.)

On May 8 and May 9, 1928, respectively, the United States attorney for the District of New Jersey, 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 91 barrels and 8 boxes of frozen poultry, remaining unsold at Jersey City, N. J., alleging that the article had been shipped by the Great Lakes Terminal, Detroit, Mich., in two consignments, on or about January 18, 1928, and January 23, 1928, respectively, and transported from the State of Michigan into the State of New Jersey, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels 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 24, 1928, the Sifz Packing Co. (Inc.), New York, N. Y., claimant, having admitted the material allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were 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 bonds totaling \$2,800, or the deposit of collateral in like amount, conditioned in part that the portion unfit for human consumption be separated from the remainder and destroyed or denatured.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16152. Misbranding of tomato catsup. U. S. v. 950 Cases of Tomato Catsup. Product released under bond by consent.** (F. & D. No. 23152. I. S. No. 01262. S. No. 1253.)

On October 17, 1928, 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 950 cases of tomato catsup, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by the Mid-West Food Packers (Inc.), from Fowlerton, Ind., September 3, 1928, and transported from the State of Indiana into the State of Minnesota, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "Mid-West Brand Tomato Catsup \* \* \* Highest Quality \* \* \* Guaranteed to be absolutely pure. No preservative or artificial coloring. Made by Mid-West Food Packers Inc., Fowlerton, Ind."

Misbranding of the article was alleged in the libel for the reason that the statements "No artificial coloring" and "Guaranteed to be absolutely pure," borne on the labels, were false and misleading and deceived and misled the purchaser in that an analysis of the product showed it to be colored with ponceau three R.

On November 12, 1928, the Mid-West Food Packers (Inc.), Fowlerton, Ind., having appeared as claimant for the property and having admitted the allegations of the libel, judgment was entered that the prayer of the libel be allowed and that the product be released to the said claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16153. Adulteration and misbranding of Giles germicide and Giles magic lotion & blood purifier. U. S. v. 12 Large-Size Bottles of Giles Germicide, et al. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 22830, 22833, 22834, 22836 to 22842, incl., 22844, 22845, 22846. I. S. Nos. 17036-x, 24493-x, 24494-x, 25323-x, 25324-x, 25325-x, 25501-x to 25505-x, incl., 25546-x to 25550-x, incl. S. Nos. 851, 852, 861, 862, 863, 865, 866, 867, 868, 888.)

On June 22, June 25, June 26, June 27, and June 28, 1928, respectively, the United States attorneys for the Districts of Eastern Missouri, Western Missouri, Maryland, Southern New York, and Northern California, respectively, acting upon reports by the Secretary of Agriculture, filed in the District Courts of the United States for said districts libels praying seizure and condemnation of 32 large-size bottles and 48 small-size bottles of Giles germicide and 80 gallon cans and 110 quart cans of Giles magic lotion & blood purifier, in various lots at St. Louis, Mo., Kansas City, Mo., Baltimore, Md., New York, N. Y., and San Francisco, Calif., alleging that the articles had been shipped by the Giles Remedy Co., from Chicago, Ill., between the dates of May 23, 1927, and May 31, 1928, and had been transported from the State of Illinois into the States of Missouri, Maryland, New York, and California, respectively, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that Giles' germicide consisted essentially of linseed oil, camphor, and ether; and that Giles' magic lotion and blood purifier consisted essentially of linseed oil, camphor, and ether. Bacteriological examination showed that the articles were neither antiseptic nor germicidal, even when undiluted.

A portion of the Giles magic lotion & blood purifier was labeled in part: (Tin container) "Blood Purifier \* \* \*. Tonic and blood purifier for both internal and external use. For the Prevention and Treatment of all Diseases of Germ Origin affecting Horses and Cattle \* \* \*. Prevents and removes congestion, the one disease; dispels Fever and Inflammation and other complications most promptly and effectually with no Bad After Effect. Strengthens the Heart. For the Treatment of Chills, Coughs, Colds, Sore Throat, Shipping Fever, Distemper, Catarrhal Fever, Enteric Fever, Influenza and Complications. Spasmodic and Flatulent Colic, Inflammation of the Stomach, Bowels, Kidneys or Bladder; Indigestion, Etc. \* \* \* Remedy \* \* \* Seriousness of the case. \* \* \* fever \* \* \* Continue administering by the mouth until a satisfactory temperature is induced. In acute ailments, quickest and most economical results are obtained by liberal use of 'Giles' at the start. Cough, Colds \* \* \* Colic \* \* \* Chills \* \* \* As a Tonic Conditioner. For loss of Appetite, nervous indigestion, impaired wind, palpitation or weakness, give constitutional treatment of two or three 2-ounce doses per day and rectal injection once a day. It should be applied as promptly as possible to the injured part or to the immediate vicinity of internal trouble. To the chest and sides; to the abdomen between the legs in bowel, kidney, and bladder affections; to strains and bruises liberally with considerable friction; to fresh wounds sparingly to antisepticize; to the seat of abscesses on oakum well saturated; to the coronet in case of soreness in the feet by means of a soaking boot and oakum; in the eye full strength by means of a small, soft sponge (care being taken to get it well into the eye) and liberally to the throat in case of sore throat, well rubbed in. Be sure that the part is dry before applying and use no water in connection with it under any circumstance. Remedy \* \* \* benefiting another, but strengthens the entire system \* \* \* Conditioner." The labels of a portion of the said Giles magic lotion & blood purifier contained the above-quoted statements together with the following: