

6991. Adulteration of eggs. U. S. * * * v. 251 Cases of Eggs in Shell. Decree of condemnation and forfeiture as to the unfit portion. Good portion released to claimant upon payment of costs. Unfit portion ordered to be destroyed unless sold for feeding stock, for fertilizer, or other similar purposes. (F. & D. No. 9519. I. S. No. 14275-r. S. No. E-1169.)

On November 26, 1918, 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 for the seizure and condemnation of 251 cases of eggs in shell remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about November 22, 1918, by D. N. Lightfoot & Son, Philadelphia, Pa., and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

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

On March 14, 1919, the eggs having theretofore been candled by the said D. N. Lightfoot & Son under the supervision of a representative of this department, and the portion found good and fit for human consumption having been released to said claimant, it was ordered by the court that the portion found unfit for food should, if possible, be disposed of for feeding stock, for fertilizer, or other similar purposes in lieu of the destruction thereof, which had been provided by a previous order of the court.

E. D. BALL, *Acting Secretary of Agriculture.*

6992. Adulteration of condensed milk. U. S. * * * v. 95 Cases of Condensed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 9520, 9521. I. S. Nos. 14331-r, 14332-r. S. No. E-1170.)

On December 7, 1918, the United States attorney for the Eastern 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 for the seizure and condemnation of 95 cases of condensed milk, at Brooklyn, N. Y., alleging that the article had been shipped on or about November 29, 1918, and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Value Brand Sweetened Condensed Milk Packed by Merton Dairy Products Co., Merton, Wis."

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

On January 17, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

6993. Adulteration of string beans. U. S. * * * v. 950 Cases of String Beans. Default decree of condemnation and forfeiture. Product ordered sold as feed for live stock. (F. & D. No. 9522. I. S. No. 2489-r. S. No. W-256.)

On December 4, 1918, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 950 cases, each containing 6 cans of string beans, remaining unsold in the original unbroken packages at Portland, Ore., alleging that the article had

been shipped on or about September 26, 1918, by the Manteca Canning Co., Manteca, Cal., and transported from the State of California into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Swing Brand * * * String Beans."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted of a putrid and decomposed vegetable substance, and was sour and unfit for food.

On January 23, 1919, no claimant having appeared for the property, and a formal judgment of condemnation and forfeiture having been entered on January 18, 1919, it was ordered by the court that the United States marshal should cause the product to be made unfit for human consumption and should sell and dispose of the same for feed for live stock.

E. D. BALL, *Acting Secretary of Agriculture.*

6994. Misbranding of Texas Wonder. U. S. * * * v. 60 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 9523, 9524. I. S. Nos. 2058-r, 2059-r. S. No. W-255.)

On December 7, 1918, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 bottles of Texas Wonder, consigned by E. W. Hall, St. Louis, Mo., remaining unsold in the original unbroken packages at Denver, Colo., alleging that 36 of said bottles were shipped on or about October 23, 1918, and 24 of said bottles were shipped on or about March 11, 1918, and transported from the State of Missouri into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (On bottle) "A Texas Wonder, Hall's Great Discovery, Contains 43 per cent Alcohol Before Diluted, 5 per cent After Diluted. The Texas Wonder, Hall's Great Discovery for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism. Dissolves Gravel, Regulates Bladder Trouble in Children. One small bottle is 2 months' treatment and seldom fails to cure any case above mentioned. Dr. E. W. Hall, Sole Manufacturer, St. Louis, Mo." (In circular) "For Kidney and Bladder Troubles, Rheumatism and Kindred Diseases. The Texas Wonder, Hall's Great Discovery, has been employed with success in Rheumatism, Diabetes, Kidney and Bladder Troubles, Cases of Gravel and other kindred diseases as appears from the following sworn testimonials and evidence."

Examination of a sample of the article by the Bureau of Chemistry of this department from a previous shipment showed it to consist essentially of oleo-resin of capaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the articles was alleged in the libel for the reason that each bottle was labeled with a label containing false and fraudulent statements as to the curative and therapeutic effect of the contents of said bottles, and in that each bottle was accompanied by a circular containing false and fraudulent statements as to the curative and therapeutic effect of the contents of said bottles. That it is not true that said drug will cure or that it seldom fails to cure kidney and bladder troubles, diabetes, weak and lame backs, rheumatism, or that it cures or seldom fails to cure any one of said diseases, and that it is not true that said drug will dissolve gravel or regulate bladder trouble in children. That each and every statement in said label and in said circular as to the curative and therapeutic effect of said drugs was false and fraudulent.

On January 10, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*