

which were false and fraudulent in that they were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and to create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents or a combination of ingredients, effective, among other things, as a remedy for gonorrhœa, catarrhal affections of the eye, nose, throat, genito-urinary organs, inflammation, hemorrhoids, ulcers, blennorrhœa, gonorrhœa in women, leucorrhœa, and certain other diseases, whereas, in truth and in fact, the article did not contain any ingredient or combination of ingredients, or medicinal agent or combination of medicinal agents, effective, among other things, as a remedy for various diseases, ailments, disorders and affections set forth in the statements appearing upon the cartons, bottles, labels, and circulars.

On June 30, 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 be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7279. Adulteration and misbranding of butter. U. S. * * * v. 10 Boxes, 18 Tubs, and 3 Crates of a Product Purporting to be Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10165. I. S. No. 12848-r. S. No. E-1357.)

On May 3, 1919, 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 of information praying the seizure and condemnation of 10 boxes, 18 tubs, and 3 crates of a product purporting to be butter, consigned on April 21, 1919, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Donahue Creamery, Monkton, Vt., and transported from the State of Vermont into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that a substance deficient in milk fat and high in moisture had been mixed and packed therewith and substituted wholly or in part for butter, which the article purported to be, and for the further reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, butter.

On June 2, 1919, W. C. Donahue, Monkton, Vt., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7280. Adulteration and misbranding of Orange Julep Syrup. U. S. * * * v. 7 Cases, Each Containing Six 1-Gallon Jugs of Orange Julep Syrup. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10166. I. S. No. 15702-r. S. No. E-1342.)

On May 9, 1919, 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 for the seizure

and condemnation of 7 cases, each containing 6 1-gallon jugs of Orange Julep Syrup, remaining unsold in the original unbroken packages at Indiana, Pa., alleging that the article had been shipped on or about April 22, 1919, by the Southern Fruit Julep Co., Baltimore, Md., and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (On jugs) "Orange Julep Syrup." (On display cards) "Drink Orange Julep Made From Fresh Ripe Fruit (design of orange twigs bearing blossoms) Manufactured by Southern Fruit Julep Company."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted of sugar sirup artificially colored with orange color, and for the further reason that a product composed of sugar sirup, water, and artificial color had been substituted for the product made from fresh ripe oranges, which the article purported to be, and for the further reason that it was artificially colored in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged for the reason that the statements, to wit, "Orange Julep Syrup," "Orange Julep," and "Made From Fresh Ripe Fruit," together with designs of oranges and twigs bearing blossoms, were 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 May 26, 1919, the said Southern Fruit Julep Co., claimant, having filed an answer, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7281. Misbranding of Knoxit Globules. U. S. * * * v. 1 Gross Bottles of Knoxit Globules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10375. I. S. No. 14899-r. S. No. E-1459.)

On May 26, 1919, the United States attorney for the Eastern 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 for the seizure and condemnation of 1 gross bottles of Knoxit Globules, consigned by the Beggs Mfg. Co., Chicago, Ill., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about June 21, 1918, and transported from the State of Illinois into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of balsam of copaiba and oil of cassia.

Misbranding of the article was alleged in substance in the libel for the reason that the label and circular contained certain statements, regarding the curative and therapeutic effects of the article and the ingredients or substances contained therein, which were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by those statements in the treatment or cure of cystitis, inflammation of the mucous membranes, gonorrhœa, and blennorrhœa, having at the same time an action soothing and efficacious upon the kidneys and bladder, and which statements were applied to the article with a knowledge of their falsity for the purpose of defrauding the purchasers thereof.

On June 16, 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 be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7282. Misbranding of olive oil. U. S. * * * v. 2 Cases * * * of Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10382. I. S. No. 14984-r. S. No. E-1466.)

On May 27, 1919, the United States attorney for the Eastern 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 for the seizure and condemnation of 2 cases, each containing 48 cans of olive oil, consigned by W. P. Bernagozzi, New York, N. Y., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about April 18, 1919, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that the statement, to wit, "One Quart," borne on the labels of the cans, was false and misleading, whereas examination of 3 cans showed an average shortage in volume of 3.48 per cent, and the further examination of 11 cans indicated a shortage of 4.13 per cent. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously declared.

On June 25, 1919, Cacciola Bros., Philadelphia, Pa., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7283. Adulteration of mineral water. U. S. * * * v. 50 Cases of Mineral Water and U. S. * * * v. 150 Cases of Mineral Water. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F & D. No. 9386. I. S. No. 5907-r, 5908-r. S. No. C-985.)

On October 9, 1918, 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 libels for the seizure and condemnation of 50 cases and 150 cases of mineral water, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about July 19, 1918, by the Crazy Well Water Co., Mineral Wells, Tex., and transported from the State of Texas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article in the 50 cases was labeled in part, "No 3 Crazy This is a Natural Saline, Alkaline Mineral Water * * * Purgative and Diuretic, (or Freely Laxative and Mildly Diuretic). The Crazy Well Water Company Mineral Wells, Texas." The article in the 150 cases was similarly labeled except that the words "No. 4 Crazy" were substituted for the words "No. 3 Crazy."

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

On March 14, 1919, the said Crazy Well Water Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was