

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, cocoa, and for the further reason that the statement, to wit, "My Own Cocoa," was not sufficiently corrected by the inconspicuous statement, "My own cocoa compound," and was false and misleading. 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 marked on the outside of the package in terms of weight or measure.

On August 5, 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.*

7334. Adulteration and misbranding of butter. U. S. * * * v. 50 Cases of Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10101. I. S. No. 16186-r. S. No. E-1324.)

On April 29, 1919, the United States attorney for the Southern District of Georgia, 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 50 cases, each containing 30 1-pound cartons of butter, remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped on or about April 14, 1919, by Swift & Co., Nashville, Tenn., and transported from the State of Tennessee into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Brookfield Creamery Butter 1 lb. Net Weight * * * Swift & Co. U. S. A. Distributor."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in milk fat had been mixed and packed with, and substituted wholly or in part for, creamery butter, which the article purported to be.

Misbranding of the article was alleged for the reason that the cartons were labeled as containing 1 pound net weight, whereas, in truth and in fact, said statement was false and misleading in that the cartons contained materially less than 1 pound net weight each. Misbranding of the article was alleged for the further reason that the statement, to wit, "Creamery Butter," was false and misleading and deceived and misled the purchaser into the belief that the article was creamery butter, when, in truth and in fact, it was not, but was a product deficient in milk fat. 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 marked on the outside of the packages in terms of weight.

On May 15, 1919, the said Swift & Co., 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 \$1000, in conformity with section 10 of the act.

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

7335. Adulteration of oranges. U. S. * * * v. 131 Boxes * * * Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10103. I. S. No. 13888-r. S. No. E-1328.)

On April 25, 1919, 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 131 boxes of oranges, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about April 2, 1919, by the Redlands-Highlands Fruit Exchange, Redlands, Calif., and transported from the State of California 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 whole or in part of a decomposed vegetable substance.

On May 13, 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, but if such merchandise could be disposed of for fertilizer or other similar or manufacturing purpose, other than for human or animal consumption, then it might be disposed of in such manner as might be found practicable.

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

7336. Misbranding of A Texas Wonder. U. S. * * * v. 136 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10105. I. S. No. 5593-r. S. No. C-1185.)

On April 28, 1919, the United States attorney for the Eastern District of Oklahoma, 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 136 bottles of A Texas Wonder, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped on or about April 3, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample by the Bureau of Chemistry of this department showed that the article consisted of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged for the reason that the packages and cartons containing it, and the labels and circulars, affixed to and enclosed with them, bore statements, to wit, "A Texas Wonder for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular testimony of Louis A. Portner) "* * * began using the Texas Wonder for Stone in the Kidneys, Inflammation of the Bladder and Tuberculosis of the Kidneys * * * his urine contained 40% pus * * * was still using the medicine with wonderful results and his weight had increased * * *," regarding the curative and therapeutic effects thereof and of the ingredients and substances contained therein, which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it.

On October 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.*

7337. Adulteration of oranges. U. S. * * * v. 462 Cases of Oranges. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. No. 10106. I. S. No. 7099-r. S. No. C-1151.)

On April 5, 1919, the United States attorney for the Northern District of Illinois, 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