

hydrastine, berberine, glycerin, and water scented with rose, and that the globules consisted essentially of a mixture of copaiba and oil of cassia.

Misbranding of the articles was alleged in substance in the libel of information for the reason that certain statements, appearing on the cartons and bottle labels, and in the circulars accompanying the articles, regarding the curative and therapeutic effects thereof as a treatment, remedy, or prophylactic for inflammation of the mucous membrane, ulcers and hemorrhoids, cystitis, gonorrhœa, and blennorrhœa, having at the same time a soothing and effective action on the kidneys and bladder, and certain other diseases, were false and fraudulent in that the articles contained no ingredient or combination of ingredients capable of producing the effects claimed for them.

On September 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.

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

7446. Adulteration and misbranding of orange julep sirup. U. S. * * * v. 26 Cases, 15 Cases, 4 Cases, 2 Cases, 20 Cases, 30 Cases, 5 Boxes (30 Gallons), 5 Boxes (30 Gallons), 3 Boxes (18 Gallons), 3 Boxes (18 Gallons), 3 Boxes (18 Gallons), 3 Boxes (18 Gallons), 4 Boxes (24 Gallons), 15 Boxes (90 Gallons), more or less, of Orange Julep Sirup. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 10196, 10197, 10198, 10199, 10200, 10201, 10202, 10203, 10204, 10205, 10206, 10207, 10218, 10219. I. S. No. 15702-r. S. No. E-1347.)

On May 3, 1919, and May 5, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of approximately 97 cases and 41 boxes of orange julep sirup, consigned on or about April 7, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Southern Fruit Julep Co., Atlanta, Ga., and transported from the State of Georgia into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Howel's Orange Julep Sirup."

Adulteration of the article was alleged in the libels for the reason that a product composed of sugar, sirup, water, and artificial color had been substituted for a 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 "Orange Julep Sirup," "Orange Julep," and "Made from Fresh, Ripe Fruit," together with picture of oranges and twigs bearing orange blossoms, were false and misleading and deceived and misled the purchaser, and for the further reason that the product was an imitation of, and was offered for sale under the distinctive name of, another article.

On May 12, 1919, on motion of the attorney for the said Southern Fruit Julep Co., claimant, it was ordered by the court that the cases be consolidated into one proceeding and on the same date, the claimant having admitted the allegations of the libel, 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 \$1,000, in conformity with section 10 of the act.

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