

the article had been shipped by Alonzo O. Bliss, Washington, D. C., on August 14, 1919, and transported from the District of Columbia into the State of Illinois, 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 licorice, aloes, buchu, and capsicum.

Misbranding of the article was alleged in the libel for the reason that the following statements, regarding the curative or therapeutic effects thereof, appearing upon the circular enclosed in each of the boxes, to wit, "Auto-Intoxication is a new name for Chronic Intestinal stasis (constipation) that is the cause of ninety-five percent of human ailments and diseases. * * * To restrain the growth of harmful bacteria in the intestines and eliminate them, thereby preventing intestinal putrefaction and auto-intoxication we strongly recommend Bliss Native Herbs Tablets that successfully adjusts bowel troubles. Intestinal Indigestion * * * Rheumatism Bliss Native Herbs is valuable for Sciatica, Lumbago, acute and chronic rheumatic pains, enlargements of joints. Corrects the blood, dissolving acids that accumulate in the system," were false and fraudulent in that the same were applied to the article knowingly and in a reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to purchasers thereof and 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 combinations of ingredients effective, among other things, as a remedy for the various diseases, ailments, and affections mentioned upon the circular contained in each of the boxes, whereas, in truth and in fact, it was not, in whole or in part, composed of and did not contain ingredients or medicinal agents or combinations of ingredients effective, among other things, as a remedy for the various diseases, ailments, and affections mentioned upon the circular contained in each of the boxes.

On March 5, 1920, 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.*

7639. Misbranding and adulteration of olive oil. U. S. v. Dionyssios Spiropoulos and James Theodore (Spiropoulos Bros.). Pleas of guilty. Fine, \$90. (F. & D. No. 11357. I. S. Nos. 12941-r, 12942-r, 12943-r, 12944-r.)

On December 9, 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 an information against Dionyssios Spiropoulos and James Theodore, trading as Spiropoulos Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on April 22, 1919, from the State of New York into the State of Massachusetts, of quantities of olive oil, the greater portion of which was misbranded, and one shipment of which was adulterated and misbranded. The oil was labeled variously in part, "Greek National Brand Olive Oil," "Prodotti Italiana * * * Italia Brand Lucca Toscana Italia," "Purissimo Olio di Bitonto-Bar," and "Olio Puro La Vittoria Degli Alleati Brand Union Pure Salad Oil."

Examination of samples of the article made in the Bureau of Chemistry of this department showed that each brand was short volume, and that the La Vittoria brand was a mixture of cottonseed and corn oils.

Misbranding of all the brands of the article except the La Vittoria Degli Alleati brand was alleged in the information for the reason that the statement, to wit, "Net Contents 1 Gal.," or "Net Contents $\frac{1}{2}$ Gallon," or " $\frac{1}{2}$ Gallon Net," borne on the cans containing the article, regarding it, was false and misleading in that it represented that each of the cans contained 1 gallon net or $\frac{1}{2}$ gallon net of the article, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 1 gallon net or $\frac{1}{2}$ gallon net of the article, whereas, in truth and in fact, each of said cans did not contain 1 gallon net or $\frac{1}{2}$ gallon net of the article, but did contain a less amount. Misbranding of all the brands of the article was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

Adulteration of the La Vittoria Degli Alleati brand was alleged for the reason that oils other than olive oil had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be. Misbranding of this article was alleged for the further reason that the statements, to wit, "Olio Puro" and "Net Contents Half Gallon," together with the designs and devices of the Italian flag, Italian shield, Italian soldier, and map of Italy, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained $\frac{1}{2}$ gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained $\frac{1}{2}$ gallon net of the article, whereas, in truth and in fact, it was not a foreign product, to wit, an olive oil produced in the kingdom of Italy, but said article was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain $\frac{1}{2}$ gallon net of the article, but contained less than $\frac{1}{2}$ gallon net of the article; and for the further reason that the statements, designs, and devices appearing on the cans as aforesaid purported said article to be a foreign product, when not so.

On January 7, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$90.

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

7640. Adulteration and misbranding of a product purporting to be cocoa.

U. S. * * * v. 384 Packages * * * and 960 Packages * * * of a Product Purporting to be Cocoa. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11196-11205, inc., 11228, 11229. I. S. Nos. 7638-r, 7639-r. S. No. C-1460.)

On September 17, 1919, the United States attorney for the District of Indiana, 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 384 packages, each containing $\frac{1}{2}$ pound, and 960 packages, each containing $\frac{1}{2}$ pound, of a product purporting to be cocoa, remaining unsold in the original unbroken packages at Marion, Ind., alleging that the article had been shipped on or about March 24, 1919, by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled, "My Own Pure Cocoa. Net Weight one-