

was a product consisting in part of distilled water or a solution of dilute acetic acid and added water. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the bottles in terms of weight, measure, or numerical count.

On January 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and on February 24, 1920, it was ordered by the court that the product be relabeled "Distilled Vinegar and Excessive Added Water" and sold by the United States marshal.

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

**7652. Adulteration and misbranding of sauerkraut. U. S. \* \* \* v. 979 Cases of Sauerkraut.** (F. & D. Nos. 8748, 8749, 8750. I. S. Nos. 9240-p, 9241-p, 9242-p. S. No. C-787.)

On January 26, 1918, 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 condemnation of 979 cases of sauerkraut, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about November 30, 1917, by the Thomas Canning Co., Grand Rapids, Mich., and transported from the State of Michigan into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Topmost Extra Sauer Kraut Highest Excellence Achieved," "Reputation Brand Sauer Kraut," and "Park Brand Sauer Kraut," and each brand was also labeled "Contains 1 lb. 3 ozs."

Adulteration of the article was alleged in the libel for the reason that an excessive amount of brine had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for sauerkraut, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Sauer Kraut," borne upon each of the labels, deceived and misled the purchaser into the belief that the article consisted of sauerkraut containing a normal quantity of brine, whereas the article contained an excessive quantity of brine.

On May 15, 1918, the Sheppard-Strassheim Co., Inc., a claimant for a portion of the consignment, having consented to a decree, and on July 19, 1918, W. M. Hoyt Co., a corporation, also having consented to a decree, separate judgments of condemnation and forfeiture were 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 in each case of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that a sticker label bearing the statement "13½ ozs. Sauer Kraut; 5½ ozs. Added Brine," in prominent letters, be placed over the words "Sauer Kraut," appearing on the cans and cases.

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

**7653. Adulteration of corn meal. U. S. \* \* \* v. 400 Bags of a Product Purporting to be Corn Meal. Default decree of condemnation, forfeiture, and sale.** (F. & D. No. 9081. I. S. No. 9177-p. S. No. C-911.)

On June 15, 1918, the United States attorney for the Southern District of Ohio, 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 400 bags, each containing 100 pounds of a product purporting to be corn meal, remaining unsold in the original unbroken packages at Gary, Ind., alleging that the article had been shipped on or about February 28, 1918, by Morris Kennedy, Rochelle, Ill., and transported from the State of Illinois into the State of Indiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Corn Meal."

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

On April 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 sold by the United States marshal.

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

**7654. Misbranding of Cal-Sino Hog Restorative. U. S. \* \* \* v. 6 Pails, 11 Pails, and 45 Pails of Cal-Sino Hog Restorative. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 8960, 8961, 8962. I. S. Nos. 3379-p, 3381-p, 3382-p. S. No. E-1017.)

On or about April 15, 1918, the United States attorney for the Eastern District of Virginia, 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 6 pails, 11 pails, and 45 pails of Cal-Sino Hog Restorative, remaining unsold in the original unbroken packages at Mears, Greenbush, and Onley, Va., alleging that the several consignments had been shipped on or about March 21, 1918, by the Cal-Sino Co., Baltimore, Md., and transported from the State of Maryland into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended. Said article was labeled as follows, "An Alterative Tonic and Intestinal Disinfectant Designed for Hog Cholera \* \* \* Give Cal-Sino Hog Restorative during prevalence of Hog Cholera and on noticing suspicious signs of Cholera. It rids the system of impurities, helps to make good blood and disinfects the bowels thoroughly, and therefore wards off Cholera as well as other diseases or checks their progress. \* \* \* Try to Prevent Sickness and Ward off Cholera. Make it your first aim to keep away Cholera and other infectious diseases by the regular use of Cal-Sino Hog Restorative \* \* \* Aids in the Prevention and Cure of all Hog Diseases especially Cholera \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphur, sodium sulphate, chlorid, bicarbonate, ferrous sulphate, charcoal, turpentine, cresols in small amount, mineral oil and unidentified plant material.

Misbranding of the article was alleged in the libel for the reason that the foregoing statements were false and fraudulent in that the article and drugs did not contain any ingredient or combination of ingredients capable of producing the therapeutic effects so claimed on the cartons and labels.

On March 20, 1920, no claimant having appeared for the property, a decree 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.*

**7655. Adulteration of tomato pulp. U. S. \* \* \* v. 129 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 8914. I. S. No. 6806-p. S. No. C-863.)

On April 1, 1918, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the