

for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was an article manufactured and produced in the United States of America, and was branded as manufactured in the kingdom of Italy; for the further reason that the statements on the cans aforesaid purported said article to be a foreign product, when not so; and 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.

On April 28, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75.

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

**7740. Misbranding of Olive Branch. U. S. \* \* \* v. Nellie M. Ellis (Olive Branch Remedy Co.). Plea of guilty. Fine, \$100 and costs. (F. & D. No. 10765. I. S. No. 6397-r.)**

On May 1, 1920, the Grand Jurors of the United States of America within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for said district an indictment against Nellie M. Ellis, trading as the Olive Branch Remedy Co., South Bend, Ind., charging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on May 21, 1918, from the State of Indiana into the State of Missouri, of a quantity of an article, labeled in part "Olive (picture of dove) Branch Specific for all Female Diseases Olive Branch Remedy Co. South Bend, Indiana. Proprietors," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of suppositories containing chiefly cacao butter, soap, borax, alum, and a trace of unidentified alkaloid.

Misbranding of the article was charged in the indictment for the reason that certain statements, appearing on the labels of the package and boxes containing the article, in the wrappers with the same, and in the circular accompanying the article, falsely and fraudulently represented it to be effective as a treatment, remedy, cure, and specific for all female diseases, as a treatment, remedy, and cure for dragging periods of pain and sickness, monthly sick headaches, despondency, worn-out, tired feeling of helpless, hopeless existence, and as a treatment, remedy, and cure for ulceration, inflammation, congestion, leucorrhœa, painful, profuse, or scanty menstruation, suppression, laceration, prolapsus, tumors, for pain and soreness in the side, cancerous trouble, congestion of the womb, ovarian trouble, falling of the womb, epileptic fits caused by falling of the womb and ulceration, stomach trouble, liver trouble, ulceration of the womb, and womb disorder, whereas, in truth and in fact, it was not.

On May 17, 1920, the defendant entered a plea of guilty to the indictment, and the court imposed a fine of \$100 and costs.

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

**7741. Adulteration of milk. U. S. \* \* \* v. Jersey Farm Dairy Co., a Corporation. Plea of nolo contendere to count 1 of the indictment. Fine, \$100 and costs. Remaining counts of indictment dismissed. (F. & D. No. 10407. I. S. No. 9726-p.)**

On October 9, 1919, the Grand Jurors of the United States of America within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for said district an indict-

ment in 4 counts against the Jersey Farm Dairy Co., a corporation, St. Louis, Mo., charging shipment by said company in the first count of said indictment, in violation of the Food and Drugs Act, on September 26, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed the presence of bacteria, that the product was filthy, and that the cans containing it were dirty.

Adulteration of the article was charged in the first count of the indictment for the reason that it consisted in part of a filthy and decomposed animal substance.

On May 22, 1920, a plea of nolo contendere to the first count of the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs. The remaining counts of the indictment were dismissed.

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

**7742. Adulteration of oysters. U. S. \* \* \* v. Amelia M. Porth (Porth Oyster Co.). Plea of guilty. Fine, \$10.** (F. & D. No. 1964. I. S. Nos. 2449-r, 6326-r.)

On April 21, 1920, 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 Amelia M. Porth, trading as the Porth Oyster Co., New York, N. Y., alleging shipment by said defendant in violation of the Food and Drugs Act, on January 8, 1919, from the State of New York into the States of California and Illinois, respectively, of quantities of oysters which were adulterated. The article was labeled in part, "W. C. P. Certified Oysters Porth Oyster Company Oyster Cultivators, New York, N. Y."

Examination of samples of the article by the Bureau of Chemistry of this department showed that the oysters had been excessively watered.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On May 5, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

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

**7743 Adulteration of milk. U. S. \* \* \* v. Union Dairy Co., a Corporation. Plea of nolo contendere to count 1 of the indictment. Fine, \$100 and costs. Remaining counts of indictment dismissed.** (F. & D. No. 10456. I. S. No. 9714-p.)

On October 9, 1919, the Grand Jurors of the United States of America within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment in 14 counts in the District Court of the United States for said district against the Union Dairy Co., a corporation, St. Louis, Mo., charging shipment by said company in the first count of said indictment, in violation of the Food and Drugs Act, on September 8, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of added water and insoluble foreign matter (visible dirt).