

Co., Covington, Ky., and transported from the State of Kentucky into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Massmann's Short Stop."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that the preparation labeled "Short Stop First Stage" consisted of a dilute aqueous solution of zinc sulpho-carbolate and berberine sulphate, with traces of phenol and bismuth hydroxid in suspension. that the preparation labeled "Short Stop Second Stage" consisted essentially of a dilute aqueous solution of zinc sulphate, berberine sulphate, and phenol, and that the article labeled "Short Stop Capsules" contained essentially a mixture of sodium bicarbonate, methylene blue, and salol.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circular accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, gleet, stricture, leucorrhœa, kidney and bladder affections, chronic seminal and mucous discharges, complications attending gonorrhœa and gleet, posterior or far-back inflammation, catarrh, inflammation of the bladder, scalding or burning in passing water, retention of urine, gonorrhœal rheumatism, and certain other ailments, whereas, in truth and in fact, it was not.

On January 2, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and on February 24, 1920, the product was ordered destroyed by the United States marshal.

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

8000. Adulteration and misbranding of cocoa. U. S. * * * v. 5 Boxes of ½-Pound Cartons, 7 Boxes of ¼-Pound Cartons, 6 Boxes of ½-Pound Cartons, and 10 Boxes of ¼-Pound Cartons of a Product Purporting to be Cocoa. Default decrees of condemnation, forfeiture, and destruction. (F. & D Nos. 11109, 11110. I. S. Nos. 7889-r, 7890-r. S. Nos. C-1426, C-1427.)

On August 27 and 29, 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 libels for the seizure and condemnation of 5 boxes of ½-pound cartons, 7 boxes of ¼-pound cartons, 6 boxes of ½-pound cartons, and 10 boxes of ¼-pound cartons of a product purporting to be cocoa, remaining unsold in the original unbroken packages at Frankfort and Crawfordsville, Ind., alleging that the article had been shipped on or about March 26, and April 5, 1919, by the National Cocoa Mills of New York, N. Y., and transported from the State of New York into the State of Indiana, and charging adulteration and misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "My Own Pure Cocoa Net Weight one-fifth pound" or "one-half pound," as case may be. "* * * The Cocoa Contained in this package is Positively High Grade and guaranteed by the manufacturers to comply with all Federal and State Food Laws. It is a breakfast cocoa of Superior Quality and Excellence * * * Absolutely Pure No Alkalis No Chemicals * * *." (Inconspicuously stamped on side panel) "My Own Cocoa Compound Containing Corn Starch Cocoa Sugar."

Adulteration of the article was alleged in the libel for the reason that certain foreign substances had been substituted in whole or in part for cocoa, and had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength.

Misbranding of the article was alleged in substance for the reason that the following statements, to wit, "Cocoa," "Pure Cocoa," "The Cocoa Contained in this package is Positively High Grade," all of which statements appear in conspicuous type, not sufficiently corrected by the statement inconspicuously stamped on the side panel of the said package, to wit, "My Own Cocoa Compound Containing Corn Starch Cocoa Sugar," were false and misleading and the article was labeled so as to deceive and mislead the purchaser in that the article was not, in truth and in fact, pure cocoa. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale and sold under the distinctive name of, another article, to wit, cocoa, 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 in terms of weight or measure.

On January 2, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and on February 24, 1920, the goods were ordered destroyed by the United States marshal.

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