

United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 8251 to 8300.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 19, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

8251. Misbranding of butter. U. S. * * * v. Joseph W. Tate et al. (Centralia Butter Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 10049. I. S. Nos. 10010-p, 10022-p, 6358-r, 6360-r.)

On October 2, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph W. Tate, Charles W. Witwer, and Joseph E. Hefter, copartners, trading as the Centralia Butter Co., Centralia, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about July 12, 1918, June 18, 1918, May 22, 1918, and July 16 or 17, 1918, from the State of Illinois into the State of Missouri, of quantities of an article, labeled in part, in the first 3 shipments, "Bermuda Gold Butter," and in the last shipment, "Clover Leaf Butter," which in each shipment was misbranded.

Examinations of samples of the article from the several shipments made by the Bureau of Chemistry of this department showed that the average weight of the contents of the cartons was 15.1 ounces, 15.58 ounces, 15.47 ounces, and 14.56 ounces, respectively, or a shortage in weight of 5.6 per cent, 2.6 per cent, 3.33 per cent, and 9 per cent, respectively.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "One pound," or "One pound net," borne on the packages containing the article, regarding it, was false and misleading in that it represented that each of the packages contained 1 pound net or 1 pound 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 the packages contained 1 pound net, or 1 pound of the article, as the case might be, whereas, in truth and in fact, each of said packages did not contain 1 pound net or 1 pound of the article, as the case might be, but did

contain a less amount. Misbranding was alleged for the further 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.

On November 13, 1919, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$50 and costs.

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

S252. Misbranding of Methylax Blue Pearls. U. S. * * * v. 2½ Dozen Bottles of Methylax Blue Pearls. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10627. I. S. No. 13289-r. S. No. E-1552.)

On June 18, 1919, the United States attorney for the Western District of Pennsylvania, 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 2½ dozen bottles of an article, labeled in part "Methylax Blue Pearls Pfeiffer Chemical Co. New York St. Louis," remaining in the original unbroken packages at Erie, Pa., alleging that the article had been shipped on or about April 16, 1919, by William R. Warner & Co., New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the capsules contained cubebs, methylene blue, and probably copaiba and kava-kava.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the bottle and wrapper, regarding the curative and therapeutic effects of the article, were false and fraudulent since it did not contain any ingredient or combination of ingredients capable of producing the effects claimed: "Methylax Blue Pearls * * * for the treatment of gonorrhoea (and its complications) and catarrhal conditions of the urinary tract. Helps to stop mucous discharges. Useful as a urinary antiseptic."

On June 25, 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.*

S253. Misbranding of Tisit. U. S. * * * v. 1½ Dozen Packages of Tisit (Combination). Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10638. I. S. No. 13290-r. S. No. E-1553.)

On June 18, 1919, the United States attorney for the Western District of Pennsylvania, 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 1½ dozen packages of Tisit (Combination), contained in the original unbroken packages, at Erie, Pa., alleging that the article had been shipped on or about May 19, 1919, by the S. Pfeiffer Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample by the Bureau of Chemistry of this department showed that the article consisted of 2 preparations, an injection and capsules for internal use. The injection consisted of an aqueous solution containing zinc sulphate, thymol, berberine, and glycerin, and the contents of the capsules consisted essentially of copaiba and oil of cassia.