

Misbranding of the article was alleged for the reason that the statements, to wit, "Olio il Toscano Brand Lucca-Style," "Net Contents Full One Gallon" (or "Full Half Gallon" or "Full One Quart") "Questo È il Famoso Olio il Toscano Perfetto per cucina E per Insalata, E Garéntito Dalla Piu Grande Ditta Importatrice Degli Stati Uniti," not corrected by the statement in inconspicuous type in an inconspicuous place, "Cotton Seed Salad Oil Slightly Flavored with Olive Oil," 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 olive oil, that it was produced in the kingdom of Italy, and that each of the cans contained 1 gallon, $\frac{1}{2}$ gallon, or 1 quart net, as the case might be, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, that it was produced in the kingdom of Italy, and that each of the cans contained 1 gallon, $\frac{1}{2}$ gallon, or 1 quart net of the article, whereas, in truth and in fact, said article was not olive oil, but was a mixture composed in large part of cottonseed oil and corn oil; said article was not produced in the kingdom of Italy, but was produced in the United States of America, and each of the cans did not contain 1 gallon, $\frac{1}{2}$ gallon, or 1 quart net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the statements aforesaid purported said article to be a foreign product, when not so. 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 April 21, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

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

8509. Adulteration and misbranding of cottonseed meal and misbranding of cottonseed cake. U. S. * * * v. F. W. Brode & Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11953; I. S. Nos. 7516-r; 11984-r.)

On April 20, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against F. W. Brode & Co., a corporation, Memphis, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about November 30, 1918, from the State of Tennessee into the State of Illinois, of a quantity of an article, described by shipper in letter as "38 $\frac{1}{2}$ % Protein Cottonseed Meal," which was adulterated and misbranded, and on or about February 7, 1919, from the State of Tennessee into the State of Kansas, of a quantity of an article, invoiced as cottonseed cake, which was misbranded. The articles in both shipments were unlabeled.

Analysis of a sample of the cottonseed meal by the Bureau of Chemistry of this department showed that it contained 37.5 per cent of protein.

Adulteration of the cottonseed meal was alleged in the information for the reason that cottonseed meal of less than 38.50 per cent protein had been substituted in whole or in part for cottonseed meal containing 38.50 per cent of protein, which it purported to be.

Misbranding of the articles in both shipments was alleged for the reason that they were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 26, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

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

8510. Misbranding of Salubrin A. U. S. * * * v. 12 Dozen Bottles, More or Less, of Salubrin A. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10154. I. S. No. 5528-r. S. No. C-1183.)

On May 1, 1919, the United States attorney for the District of Minnesota, 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 12 bottles of Salubrin

A, at Duluth, Minn., alleging that the article had been shipped on or about December 31, 1918, by the Salubrin Laboratory, Grand Crossing, Ill., and transported from the State of Illinois into the State of Minnesota, 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 it consisted essentially of alcohol, ethyl acetate, and water, with a trace of aldehyde.

Misbranding of the article was alleged in substance in the libel in that certain statements appearing in the circular accompanying, on the carton enclosing, and on the label on the bottle containing the article, regarding its curative or therapeutic effects, falsely and fraudulently represented the article to be effective as a remedy for ringworm, eczema, pimples, and other irritated conditions of the skin, dandruff and falling hair, to break a fever or to cure a cold, pneumonia, rheumatic aches and pains, vaginal discharge, hemorrhoids, rectal ulcers, and constipation, in all diseases of the nose, throat, bronchial tubes and lungs, lockjaw, cholera, consumption, typhoid fever, blood poisoning, boils and pimples, catarrhs, asthma, erysipelas, overstrained and inflamed eyes, glands swollen, barber's itch, headache, herpes, itch, scabies, poison ivy, poison oak, prickly heat, shingles, milkblotch, acne, psoriasis, rash, salt rheum, tetter, stomach troubles, diarrhea, thrush, varicose veins, painful menstruation, falling of the womb, and neuralgia pains in vagina or womb, whereas, in truth and in fact, it was not effective.

On July 15, 1919, the Salubrin Laboratory, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon payment of the costs of the proceedings and the filing of a bond in the sum of \$75, in conformity with section 10 of the act.

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

8511. Misbranding of Gin-berry Capsules. U. S. * * * v. 5½ Dozen Packages, More or Less, of Gin-berry Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10565. I. S. No. 15036-r. S. No. E-1548.)

On June 18, 1919, the United States attorney for the Middle 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 5½ dozen packages of Gin-berry Capsules, at Williamsport, Pa., alleging that the article had been shipped on or about April 24, 1919, by the Henry S. Wampole Co., Baltimore, Md., and transported from the State of Maryland 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 it consisted of a mass composed essentially of cubebs, balsam of copaiba, santal oil, magnesia, and alum.

Misbranding of the article was alleged in the libel in that certain statements in the circular accompanying, and on the cartons enclosing the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for clap, gonorrhoea, gleet, or any discharge from the urinary organs, whereas it was not effective.

On December 1, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and the court ordered that the product be destroyed by the United States marshal.

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

8512. Misbranding of H. G. C. U. S. * * * v. 111 Bottles of H. G. C. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10334. I. S. No. 6314-r. S. No. C-1309.)

On June 24, 1919, the United States attorney for the Northern District of Texas, 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 111