

sulphate, sulphur, iron oxid, and plant material, including fragments of seeds and hulls.

Misbranding of the article was alleged in substance in the libel for the reason that the cartons and circulars inside the cartons bore and contained certain statements, regarding the curative and therapeutic effects thereof, to wit, (carton) "Dr. Harper's Anti-Cholera Tonic for Hogs Given to Prevent Diseases of Swine For worms \* \* \*," (circular) "How to Prevent Hog Cholera \* \* \* About every other day give to each hog a tablespoonful of Dr. Harper's Anti-Cholera \* \* \* in most cases acts as preventive to disease \* \* \* Use Anti-Cholera and you will have no sick hogs to cure. Your hogs will gain in weight and the meat will be free from disease," which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 30, 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.*

**8517. Misbranding of Texas Wonder. U. S. \* \* \* v. 6 Dozen Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11888. I. S. No. 16500-r. S. No. E-1932.)**

On January 20, 1920, the United States attorney for the Northern District of Georgia, 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 dozen bottles of Texas Wonder, remaining in the original unbroken packages at Atlanta, Ga., consigned by E. W. Hall, St. Louis, Mo., alleging that the article had been shipped September 29, 1919, and transported from the State of Missouri into the State of Georgia, 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 balsam of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the statements borne on the labels, cartons, and bottles and in the accompanying circular, to wit, (carton) "\* \* \* A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children \* \* \*," (bottle) "A Texas Wonder for Kidneys Bladder Trouble \* \* \*," (circular) "\* \* \* Hall's Great Discovery \* \* \* In Gravel and Rheumatic Troubles it should be taken every night in 25-drop doses until relieved," were false and fraudulent, in that they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchaser thereof and to create in the mind of the purchaser thereof, the impression and belief that the article was in whole or in part composed of and contained ingredients and medicinal agents effective as a remedy for kidney and bladder troubles, weak and lame backs, rheumatism, and gravel, and to regulate bladder trouble in children, whereas, in truth and in fact, it was not.

On June 24, 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.*

**8518. Adulteration of eggs. U. S. \* \* \* v. James W. Hatchett (Hatchett Bros.). Plea of guilty. Fine, \$15 and costs. (F. & D. No. 11935. I. S. Nos. 9440-r, 9448-r.)**

On March 9, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of

the United States for said district an information against James W. Hatchett, trading as Hatchett Bros., at Clinton, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, from the State of Arkansas into the State of Missouri, on or about July 7, and July 9, 1919, of quantities of shell eggs which were adulterated.

Examination of representative samples of the article from each shipment made by the Bureau of Chemistry of this department showed 14 per cent and 15.1 per cent, respectively, of inedible eggs.

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On April 14, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$15 and costs.

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

**8519. Adulteration and misbranding of egg noodles. U. S. \* \* \* v. 388 Cases of Egg Noodles. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 12759. I. S. No. 3434-r. S. No. W-608.)

On or about May 28, 1920, the United States attorney for the Western District of Washington, 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 388 cases of egg noodles, at Seattle, Wash., alleging that the article had been shipped by the F. A. Martoccio Macaroni Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of Washington, arriving on or about April 2, 1920, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cases) "24 Packages Electric Process Quality Brand Machine Dried Products, F. A. Martoccio Macaroni Co., Minneapolis, Minn.;" (carton) "Electric Process Quality Egg Noodles 4½ Ozs. Net Wt. Quality Brand Egg Noodles made from semolina and eggs F. A. Martoccio Macaroni Co., Minneapolis, Minn."

Adulteration of the article was alleged in substance in the libel for the reason that a product deficient in eggs had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged for the reason that the statement on the label, "Egg Noodles," was false and misleading and deceived and misled the purchaser when applied to a product deficient in eggs. Misbranding was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On July 30, 1920, the F. A. Martoccio Macaroni Co., having filed a claim for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$500, in conformity with section 10 of the act.

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

**8520. Misbranding of cottonseed meal. U. S. \* \* \* v. Union Seed & Fertilizer Co. Plea of guilty. Fine, \$50 and costs.** (F. & D. No. 848. I. S. No. 19653-m.)

On December 15, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Union Seed & Fertilizer Co., Helena, Ark., alleging shipment by the said defendant, in violation of the Food and Drugs Act, on or about December 27, 1916, from the State of Arkansas into the State of Indiana, of a quantity of an article, labeled in part "Security Brand Cottonseed Meal," which was misbranded.