

8522. Adulteration of tomato pulp. U. S. * * * v. 424 Cans of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10534. I. S. No. 6150-r. S. No. C-1293.)

On June 11, 1919, the United States attorney for the Eastern District of Louisiana, 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 424 cans of tomato pulp, at New Orleans, La., alleging that the article had been shipped on September 26, 1918, by Houghland Bros. Canning Co., Underwood, Ind., and transported from the State of Indiana into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that the article consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On January 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.*

8523. Misbranding of Methyloids. U. S. * * * v. 2½ Dozen Bottles of Methyloids. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10843. I. S. No. 15868-r. S. No. E-1644.)

On or about July 15, 1919, the United States attorney for the Western District of Virginia, 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 Methyloids, at Lynchburg, Va., alleging that the article had been shipped on or about September 11, 1918, by Frederick Stearns & Co., Detroit, Mich., and transported from the State of Michigan into the State of Virginia, 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 methylene blue, copaiba balsam, santal and cassia oils, turpentine, a fixed oil, and combined sulphur.

Misbranding the article was alleged 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 and therapeutic effects, falsely and fraudulently represented the article to be effective as a remedy for gonorrhoea, its complications, and in all cases where a urinary antiseptic is indicated, whereas, in truth and in fact, it was not effective.

On January 12, 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.*

8524. Adulteration and misbranding of honey. U. S. * * * v. 23 5-Pound Cans, 14 2½-Pound Cans, and 4 1½-Pound Cans of Honey. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10847. I. S. No. 15871-r. S. No. E-1646.)

On July 17, 1919, the United States attorney for the Western District of Virginia, 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 23 5-pound cans, 14 2½-pound cans, and 4 1½-pound cans of honey, remaining unsold in the original unbroken packages at Graham, Va., alleging that the article had been shipped on or about May 10, 1919, by W. B. Blakley, Keystone, W. Va., and transported from the State of West Virginia into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Blakley's B Honey blended, W. B. Blakley & Co., makers, Winston-Salem, N. C., and Danville, Va."

Adulteration of the article was alleged in the libel for the reason that invert sugar and sucrose had been mixed and packed with, and substituted wholly or in part for, the article. Adulteration was alleged in substance for the further reason that the article was mixed in a manner whereby inferiority was concealed.

Misbranding was alleged in substance for the reason that the cans containing the article were labeled "Blakley's B Honey blended," which was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On October 15, 1919, 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.*

8525. Misbranding of cottonseed cake. U. S. * * * v. Hunt County Oil Co. Plea of guilty. Fine, \$100. (F. & D. No. 11119. I. S. Nos. 2537-r, 11966-r.)

On November 12, 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 an information against the Hunt County Oil Co., Wolfe City, Tex., alleging shipment by said defendant, in violation of the Food and Drugs Act, on November 5, 1918, and December 3, 1918, from the State of Texas into the States of Wyoming and Kansas, of quantities of an article, labeled in part "Ordinary Cracked Cotton Seed Cake Manufactured by Hunt County Oil Company," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 39.9 per cent of protein and 5.16 per cent of ether-extract in the shipment of November 5, and that it contained 40.93 per cent of protein in the shipment of December 3.

Misbranding of the article was alleged in the information in that statements, to wit, "Protein not less than 43.00 per cent," in both shipments, and "Fat not less than 6.00 per cent," in the shipment of November 5, borne on the tags attached to the sacks containing the article, regarding it and its ingredients and substances, were false and misleading and deceived and misled the purchaser in that they represented that the article contained not less than 43 per cent of protein and, in the case of the shipment of November 5, not less than 6 per cent of fat, whereas the article contained less than 43 per cent of protein and less than 6 per cent of fat.

On February 2, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

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

8526. Misbranding of Crescent Molasses Feed. U. S. * * * v. George B. Matthews, George B. Matthews, Jr., and Martin L. Matthews, trading as Geo. B. Matthews & Sons. Plea of guilty. Fine, \$10. (F. & D. No. 11138. I. S. No. 16164-r.)

On December 9, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George B. Matthews, George B. Matthews, Jr., and Martin L. Matthews, trading as Geo. B. Matthews & Sons, New Orleans, La., alleging shipment by said defendants, on or about February 3, 1919, from the State of Louisiana into the State of Georgia, in violation of the Food and Drugs Act, of a quantity of an article, labeled in part "Crescent Molasses Feed," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 8.73 per cent of protein and 3.19 per cent of fat.

Misbranding of the article was alleged in the information in that statements appearing on the label, to wit, "Guaranteed Analysis Protein 11 per cent, Fat 3.50 per cent,"