

**8618. Adulteration and misbranding of oil. U. S. \* \* \* v. 14 1-Gallon Cans, 35 ½-Gallon Cans, and 28 ¼-Gallon Cans of \* \* \* Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9885. I. S. No. 7904-r. S. No. C-1100.)**

On March 13, 1919, the United States attorney for the Southern District of Ohio, 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 14 1-gallon cans, 35 ½-gallon cans, and 28 ¼-gallon cans of oil, remaining unsold in the original unbroken packages at Cincinnati, Ohio, consigned by Crisafulli Bros., New York, N. Y., July 13, and July 20, 1918, alleging that the article had been transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, on the cans: "Finest Quality Table Oil La Migliore Brand Insuperabile," "Corn salad oil compound with" (in inconspicuous type) "Extra Fine" (larger type) "Olive Oil" (still larger type) (picture of olive tree and branch with olives thereon) "Net contents one gallon" (or "one-half gallon" or "one-quarter gallon") "Packed in U. S. A."

Adulteration of the article was alleged in substance in the libel for the reason that cottonseed oil had been mixed and packed therewith, thereby lowering and injuriously affecting its quality and strength, and had been substituted wholly or in part for olive oil, which the product purported to be.

Misbranding was alleged in substance for the reason that the statements, designs, and devices on the cans as aforesaid were false and misleading and deceived and misled the purchaser in that they conveyed the impression that the product was olive oil. Misbranding was alleged for the further reason that the article purported to be a foreign product when, in truth and in fact, it was of domestic origin. Misbranding was alleged for the further reason that the statement of the net contents was not true and correct in that a less quantity of the product was contained in the packages than the net contents declared upon the containers, and the actual quantity of the net contents was therefore not plainly and conspicuously marked upon the outside of the package.

On September 19, 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.*

**8619. Misbranding of Knoxit. U. S. \* \* \* v. 30 Dozen Bottles of Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9887. I. S. No. 6873-r. S. No. C-1102.)**

On March 12, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on April 15, 1919, an amended libel, for the seizure and condemnation of 30 dozen bottles of Knoxit, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Beggs Mfg. Co., Chicago, Ill., on or about November 23, 1918, and transported from the State of Illinois into the State of Missouri, 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 dilute solution of zinc acetate and hydrastis in glycerin and water, perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the labels of the bottles and cartons, and

in the containers of the article, regarding the therapeutic or curative effect thereof, 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 to the purchaser thereof and create in the minds of purchasers thereof the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective, among other things, as a remedy, treatment, and cure, and as a prophylactic for inflammation of mucous membranes, catarrhal affections of the eye, nose, and throat, hemorrhoids, ulcers, diseases of the eye, nose, throat, gonorrhoea, and blennorrhoea, whereas, in truth and in fact, it was not.

On November 17, 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.*

**8620. Misbranding of Redsules. U. S. \* \* \* v. 6 Dozen Boxes of Redsules. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10333. I. S. No. 2758-r. S. No. W-351.)**

On May 14, 1919, the United States attorney for the Northern District of California, 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 boxes of Redsules, remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by H. Planten & Son, 2 dozen boxes each on August 20, 1918, October 18, 1918, and January 20, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Redsules \* \* \* for the treatment of diseases pertaining to The Kidneys, Bladder and Mucous Membranes, originated and manufactured by H. Planten & Son, Inc., Brooklyn, N. Y."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of copaiba balsam with a small amount of santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the carton and in the circular and booklet accompanying the article, regarding the curative and therapeutic effects thereof, falsely and fraudulently represented it to be effective for the treatment of diseases pertaining to the kidneys, bladder, and mucous membranes, gonorrhoea, gleet, urethritis, and catarrh of the bladder, when, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On October 11, 1919, H. Planten & Son (Inc.), Brooklyn, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

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

**8621. Misbranding of "G Zit" Complete-Stearns' and Zit Antiseptics-Stearns'. U. S. \* \* \* v. 30 Dozen Packages of Zit Complete-Stearns' and 120 Dozen of Zit Antiseptics-Stearns'. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10615. I. S. Nos. 7788-r, 7789-r. S. No. C-1296.)**

On June 16, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District