

8644. Adulteration and misbranding of condensed milk. U. S. * * * v. Interstate Milk Products Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 10112. I. S. No. 11842-p.)

On July 26, 1919, the United States attorney for the Western District of Wisconsin, 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 Interstate Milk Products Co., a corporation, Sparta, Wis., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 9, 1918, from the State of Wisconsin into the State of Illinois, of a quantity of condensed milk which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 7.08 per cent of fat and 33.48 per cent of total solids.

Adulteration of the article was alleged in the information for the reason that a valuable constituent, to wit, butter fat, had been in part removed, and for the further reason that an evaporated product made from milk which had been standardized had been substituted in whole or in part for condensed whole milk, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Condensed Milk," borne on the tags attached to the cans containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article was condensed milk, 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 condensed milk, whereas, in truth and in fact, it was not condensed milk, but was an evaporated product deficient in fat and made from standardized milk. Misbranding was alleged for the further reason that the article was an evaporated product deficient in fat, made from standardized milk, and was offered for sale and sold under the distinctive name of another article, to wit, condensed milk.

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

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

8645. Misbranding of Knoxit. U. S. * * * v. 11½ Dozen Bottles of Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10128. I. S. No. 6176-r. S. No. C-1179.)

On April 29, 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 11½ dozen bottles of an article of drugs, labeled in part "Knoxit * * * Prepared only by Beggs Manufacturing Co., Chicago-Toronto," consigned by said company from Chicago, Ill., March 22, 1919, remaining unsold at Cincinnati, Ohio, alleging that the article had been transported from the State of Illinois into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Knoxit The Great Prophylactic * * *;" (carton) "Knoxit * * * for Inflammation of the mucous membranes * * *;" (circular) "Knoxit * * * a highly efficacious remedy used in the treatment of catarrhal affections of the eye, nose, throat and inflammation of the mucous membranes. It is also beneficial in the treatment of hemorrhoids, ulcers and cankers * * * gonorrhoea or leucorrhoea * * * use Knoxit Globules * * * with Knoxit Injection."

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 regarding the curative or therapeutic effects thereof, appearing on the label and carton and contained in the circular as hereinbefore set forth, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended.

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.*

8646. Misbranding of Pabst's Okay Specific. U. S. * * * v. 54 Bottles of Pabst's Okay Specific. Heard by the court and a jury. Verdict for the Government. Judgment of condemnation, forfeiture, and destruction. (F. & D. No. 10132. I. S. No. 16182-r. S. No. E-1346.)

On May 3, 1919, the United States attorney for the Eastern District of South Carolina, 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 54 bottles of Pabst's Okay Specific, remaining in the original unbroken packages at Columbia, S. C., alleging that the article had been shipped by the Pabst Chemical Co., Chicago, Ill., on or about February 21, 1919, and transported from the State of Illinois into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, on the retail package and bottle and in the wrapper and circular, "Pabst's Okay Specific for Gonorrhoea, Gleet, Urethritis and Chronic Mucous Discharges."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of copaiba balsam, oil of peppermint, plant extractives, including a laxative drug, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the statements appearing in and upon the cartons, packages, and bottles, as aforesaid, regarding the curative and therapeutic effects thereof, were false and fraudulent, and were made by the Pabst Chemical Co. knowingly and in wanton disregard of the truth or falsity of the said statements and claims, and with intent to deceive the purchasers of said product.

On June 21, 1920, no claim or appearance having been made and the case having come on for hearing before the court and a jury, after the submission of evidence for the Government, a verdict favorable to the Government was returned, and the court ordered the condemnation and forfeiture of the article and its destruction by the United States marshal.

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

8647. Adulteration and misbranding of rice bran. U. S. * * * v. 170 Sacks of Rice Bran. Heard by the court and a jury. Verdict for the Government. Judgment of condemnation, forfeiture, and destruction. (F. & D. No. 10156. I. S. No. 16229-r. S. No. E-1352.)

On April 13, 1919, the United States attorney for the Eastern District of South Carolina, 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