

pany, in violation of the Food and Drugs Act, on or about October 8 and October 10, 1918, from the State of Texas into the State of Oklahoma, of quantities of cottonseed cake and cottonseed meal and cake which were misbranded. The articles were labeled variously in part, "Ordinary Cotton Seed Cake Manufactured by Russell Coleman Oil Mill, San Antonio, Texas," "Ordinary Cotton Seed Cake Manufactured by Beeville Oil Mill, Beeville, Texas," or "Texoma Brand Prime Cotton Seed Meal and Cake, Texas Cake and Linter Co., Dallas, Tex."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they contained less protein than the percentages stated on the label.

Misbranding of the articles was alleged in the information for the reason that the statement, to wit, "Protein Not Less Than 43 per cent" or "43 per cent," borne on the tags attached to the sacks containing the articles, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 43 per cent of protein, 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 contained not less than 43 per cent of protein, whereas, in truth and in fact, it contained less than 43 per cent of protein.

On May 31, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$50.

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

S731. Misbranding of Injection Zip. U. S. * * * v. 26 Dozen Bottles of Injection Zip. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10878. I. S. No. 13444-r. S. No. E-1623.)

On July 8, 1919, the United States attorney for the Western 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 26 dozen bottles of Injection Zip, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Baker-Levy Chemical Co., Indianapolis, Ind., on or about July 21 and September 6, 1918, and transported from the State of Indiana 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 acetates and sulphates of lead and zinc, berberine, and opium, in water and alcohol.

Misbranding of the article was alleged, in substance, in the libel for the reason that the following statements appearing on the bottles and cartons containing the article and in the circulars accompanying the same, regarding the curative and therapeutic effects thereof, (bottle) "Injection Zip * * * This Injection is an excellent preparation and cannot produce stricture. Relief being speedy * * *," (carton) "Injection Zip * * *," (circular) "An excellent preparation for the treatment of Gonorrhœa, Gleet and Leucorrhœa * * * Ladies troubled with Leucorrhœa will obtain a speedy relief * * *," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On June 25, 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.*