

"Empson's Ye Old Fashioned Hominy Weight of contents 1 lb. 15 oz., 879 grams packed by the Empson Packing Company."

Misbranding of the article was alleged in substance in the libel for the reason that the statement "1 lb. 15 oz., 879 grams," borne on the labels, was false and misleading in that the true and correct weight of contents of each and every one of said cans or packages was not 1 pound and 15 ounces, and was not 879 grams, but was less than 1 pound and 15 ounces, and was less than 879 grams. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents of each and every one of said cans and packages was not plainly and conspicuously marked on the outside thereof.

On October 4, 1920, Albert Steinfeld & Co., claimants, having filed an answer, a consent decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the execution of a bond in the sum of \$1,000 and the payment of the costs of the proceedings, in conformity with section 10 of the act, conditioned in part that the product be not disposed of for human consumption, but that it be disposed of within 90 days for animal or poultry feed.

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

**8767. Adulteration and misbranding of gelatin. U. S. \* \* \* v. W. B. Wood Mfg. Co., a Corporation, and W. B. Wood. Plea of nolo contendere. Fine, \$100. (F. & D. No. 12888. I. S. No. 7808-r.)**

On September 14, 1920, the United States attorney for the Eastern District of Missouri, 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 W. B. Wood Mfg. Co. and W. B. Wood, alleging shipment by said defendants, on or about March 1, 1919, in violation of the Food and Drugs Act, from the State of Missouri into the State of Illinois, of a quantity of gelatin which was adulterated and misbranded. The article was labeled in part, "W. B. Wood Mfg. Co., St. Louis, Mo. Technical." The article was billed as gelatin.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted in part of glue and contained 1,533 parts of zinc per million.

Adulteration of the article was alleged in the information for the reason that glue had been mixed and packed with, and substituted in part for, gelatin, which the article purported to be, and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, zinc, which might render the article injurious to health.

Misbranding of the article was alleged for the reason that it was a mixture composed in part of glue and zinc, prepared in imitation of gelatin, and was offered for sale and sold under the distinctive name of gelatin.

On November 6, 1920, the defendants entered pleas of nolo contendere, and the court imposed a fine of \$100.

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

**8768. Misbranding of Sirop D'Anis (Sirop of Anise). U. S. \* \* \* v. 29 Dozen Bottles \* \* \* of Sirop D'Anis \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12618. I. S. No. 13073-r. S. No. E-2107.)**

On May 21, 1920, the United States attorney for the District of Maine, 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 29 dozen bottles of a product labeled in part, "Sirop D'Anis," consigned by J. A. E. Gauvin, Lowell, Mass., remaining unsold in the original unbroken packages at

Auburn, Me., alleging that the article had been shipped on or about November 7, 1919, from Lowell, Mass., and transported from the State of Massachusetts into the State of Maine, 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 morphine acetate, oil of anise, sugar, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the packages bore certain statements, regarding the curative or therapeutic effects of said article, as follows, (all consignments, bottle) "For Babies \* \* \* This preparation is highly recommended in cases of Colic, Dysentery, Sleeplessness and Painful Dentition \* \* \* For Babies This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Sleeplessness, Coughs, Colds, etc.," (wrapper) "For Babies \* \* \* This Syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc. For Babies This syrup is administered in cases of Colics, Diarrhea, Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness, etc.," (circular) "For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for babies and children when the process of dentition is painful. For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Colds and Chills (Refroidissements). Recommended for babies and children when dentition is painful and when wanting sleep," which said statements were false and fraudulent, in that the article contained no ingredient or ingredients capable of producing the curative or therapeutic effects claimed for it in such statements.

On June 17, 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.*

**8769. Misbranding of Texas Wonder. U. S. \* \* \* v. 34 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12911. I. S. No. 3358-r. S. No. W-616.)

On June 28, 1920, the United States attorney for the District of Colorado, 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 34 bottles of Texas Wonder, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about March 27, 1920, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Colorado, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular) "Read Carefully. \* \* \* In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the bottles were labeled with false and fraudulent statements as to the curative and therapeutic effects of the contents, and that each bottle was accompanied by a circular containing false and fraudulent statements as to the curative and therapeutic effects of the contents of the said bottles, in that said drug was not