

1,549 cases and 76 cases of Queen of the Valley Brand Catsup, remaining unsold in the original unbroken packages at Lansing, Mich., alleging that the article had been shipped on September 6, 1918, and October 18, 1917, from Shirley, Ind., by the Brooks Tomato Products Co., Collinsville, Ill., and transported from the State of Indiana into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Queen of the Valley Catsup * * *."

Adulteration of the article was alleged in substance in the libels for the reason that it consisted in part of a filthy and decomposed vegetable substance.

On May 19, 1919, the said Brooks Tomato Products Co., claimant, having paid the costs of the proceedings and having tendered bond in the aggregate sum of \$1,000, in conformity with section 10 of the act, it was ordered by the court that the product be released and delivered to said claimant.

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

8961. Misbranding of Pabst's Okay Specific. U. S. * * * v. 11 Dozen Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9636. I. S. No. 7489-r. S. No. C-1039.)

On January 28, 1919, 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 a libel, and on April 1, 1919, an amended libel, for the seizure and condemnation of 11 dozen bottles of Pabst's Okay Specific, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Pabst Chemical Co., Chicago, Ill., on or about November 26, 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. The article was labeled in part, "Pabst's O. K. Okay Specific O. K. Trade Mark Alcohol 24 per cent For Gonorrhœa, Gleet, Urethritis, and Chronic Mucous Discharges * * * Manufacturers and Proprietors Pabst Chemical Co., Chicago, Ill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of balsam of copaiba, oleoresin of cubebs, and plant extractives, including buchu and uva ursi, and 30 per cent of alcohol by volume.

It was alleged in substance in the libel, as amended, that the article was misbranded for the reason that certain statements, regarding the curative and therapeutic effects thereof, falsely and fraudulently represented it to be effective for gonorrhœa, gleet, urethritis, and chronic mucous discharges, to relieve and overcome chronic discharges of long standing, and to be effective in the most serious cases of gonorrhœa as well as the oldest cases of gleet, and to cause gleet or chronic gonorrhœa to disappear in cases which frequently refused to yield to other treatment, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the package failed to bear a statement on the label of the quantity or proportion of alcohol contained therein.

On January 10, 1921, 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.*

8962. Misbranding of Columbia Short Stop. U. S. * * * v. 6½ Dozen Bottles of * * * Columbia Short Stop * * *. Heard ex parte by the court and a jury. Verdict for the Government. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10279. I. S. No. 16381-r. S. No. E-1407.)

On May 14, 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 6½ dozen bottles of an article, labeled in part "Columbia Short Stop * * * Colum-

bia Drug Co., Savannah, Ga.," remaining in the original unbroken packages at Columbia, S. C., alleging that the article had been shipped on or about August 27, 1918, by the Columbia Drug Co., Savannah, Ga., and transported from the State of Georgia into the State of South Carolina, 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 mixture composed essentially of oil of sandalwood, balsam of copaiba, turpentine, ethyl nitrite, gum acacia, alcohol, and water, and flavored with lavender.

It was alleged in substance in the libel that the following words, declared, marked, printed, branded, and labeled in and upon the bottles, labels, cartons, and packages containing the article, regarding the curative and therapeutic effects of the same, "Columbia Short Stop for Gonorrhœa, Gleet, Running Range, Inflammation of the Kidneys and Bladder * * * Continue taking several days after discharge stops * * *," were misleading, false, and fraudulent, and were made by the Columbia Drug Co., aforesaid, 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 matter having come on to be heard by the court and a jury, after the submission of testimony on behalf of the Government, a verdict was returned by the jury finding the product misbranded as alleged. Thereupon, on motion of the United States attorney, a default decree 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.*

8963. Misbranding of white hominy feed. U. S. * * * v. National Oats Co., a Corporation.
Plea of guilty. Fine, \$10 and costs. (F. & D. No. 11428. I. S. No. 10677-r.)

On December 1, 1919, the United States attorney for the Northern District of Iowa, 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 National Oats Co., a corporation, Cedar Rapids, Iowa, alleging shipment by said defendant company, on or about August 10, 1918, in violation of the Food and Drugs Act, as amended, from the State of Iowa into the State of Indiana, of a certain consignment, invoiced as "White Hominy Feed," which was misbranded. The sacks containing the article bore no statement of the quantity of the contents.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On October 7, 1920, the defendant company entered a plea of guilty, and the court imposed a fine of \$10 and costs.

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

8964. Misbranding of canned corn. U. S. * * * v. Vinton Canning Co., a Corporation.
Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11792. I. S. Nos. 2247-r, 2248-r, 2365-r, 2366-r.)

On May 13, 1920, the United States attorney for the Northern District of Iowa, 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 Vinton Canning Co., a corporation, Vinton, Iowa, alleging shipment by said defendant company, on or about December 19, 1918, and November 4, 1918, in violation of the Food and Drugs Act, as amended, from the State of Iowa into the States of California and Oregon, of quantities of canned corn which was misbranded. A portion of the product involved in the consignment of December 19 was labeled in part, "Manco Brand Net contents