

statements, regarding said article and the ingredients and substances contained therein, which were false and misleading in that said statements indicated to the purchaser that the packages contained, when in fact they did not contain, "Royal Kitchen Brand Tomato Catsup \* \* \* Made From Selected Tomatoes \* \* \* Contents 10 Oz." Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On January 25, 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.*

**9110. Misbranding of Knoxit Globules. U. S. \* \* \* v. 2 Dozen Bottles and 5 Dozen Bottles \* \* \* of Knoxit Globules \* \* \*. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10242, 10243. I. S. Nos. 2755-r, 2754-r. S. Nos. W-338, W-337.)**

On May 5, 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 libels for the seizure and condemnation of 2 dozen and 5 dozen bottles of Knoxit Globules, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Beggs Mfg. Co., Chicago, Ill., alleging that the article had been shipped on October 30 and April 26, 1918, respectively, and transported from the State of Illinois into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Knoxit Globules \* \* \* Beggs Manufacturing Co."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the globules consisted essentially of copaiba balsam, oil of cassia, and a fixed oil, probably oil of sandalwood.

It was alleged in substance in the libels that the article was misbranded for the reason that it was labeled in part, (shipment of October 30, 1918) (bottle and carton) "Knoxit Globules. Cystitis Urethritis Vaginitis," (circular) "Knoxit Globules. For the treatment of Cystitis, Leucorrhœa, Vaginitis and Urethritis \* \* \*," (foreign languages) "\* \* \* Cure gonorrhœa and blenorrhœa \* \* \* have \* \* \* a soothing and effective action on the kidneys and bladder \* \* \*," (shipment of April 26, 1918) (retail carton) "Knoxit Globules. The Great Internal Gonorrhœa and Gleet Remedy," (bottle) "\* \* \* leave no ill effects," (circular) "\* \* \* The Great Internal Gonorrhœa Preparation. \* \* \* act gently and effectively upon the kidneys and bladder. \* \* \* reaches the disease through the kidneys and bladder, \* \* \* healing the mucous membranes. \* \* \* the discharge should cease in a few days," whereas said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, and said statements on the cartons, in the circular, and on the bottle were false and fraudulent. It was alleged in substance that the article was misbranded for the further reason that two certain circulars accompanying said article, copies of which were attached to the libels by the United States attorney, marked Exhibits "A" and "B," and made a part of the libels, bore and contained statements, regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein, which were false and fraudulent for the reason that said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed therein for said article.

On January 14, 1920, and June 10, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were 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.*

**9111. Misbranding of cold pressed cotton seed. U. S. \* \* \* v. Peoples Ice & Manufacturing Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 10872. I. S. Nos. 10828-r, 10831-r.)**

On September 17, 1920, the United States attorney for the Southern District of Texas, 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 Peoples Ice and Mfg. Co., a corporation, Brownsville, Texas, alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 20 and 21, 1918, respectively, from the State of Texas into the State of Kansas, of quantities of cold pressed cotton seed which was misbranded. The article was labeled in part, "100 Pounds (Net) Cold Pressed Cotton Seed Manufactured by Peoples Ice & Manufacturing Co. Brownsville, Texas."

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 Pounds (Net)," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that each of the sacks contained 100 pounds thereof, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the sacks contained 100 pounds thereof, whereas, in truth and in fact, each of the sacks did not contain 100 pounds of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article 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 December 8, 1920, 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.*

**9112. Adulteration and misbranding of evaporated apples. U. S. \* \* \* v. 1,200 Cases of Evaporated Apples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12113. I. S. No. 36-r. S. No. E-1935.)**

On January 29, 1920, the United States attorney for the Southern District of New York, 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 1,200 cases of evaporated apples, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by order of Rosenberg Bros. & Co., Watsonville, Calif., on or about January 5, 1920, and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that excessive amounts of water had been mixed and packed with, and substituted in part for, evaporated apples.

Misbranding was alleged for the reason that the article was an imitation of, and offered for sale under the distinctive name of, another article.