

9127. Misbranding of O. S. Hog Remedy. U. S. * * * v. 87 Cases * * * of O. S. Hog Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13396. I. S. No. 9545-r. S. No. C-2051.)

On August 19, 1920, the United States attorney for the Middle District of Alabama, 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 87 cases of O. S. Hog Remedy, remaining in the original unbroken packages at Montgomery, Ala., alleging that the article had been shipped by the O. S. Hog Remedy Co., Lufkin, Tex., on May 17, 1920, and transported from the State of Texas into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (Carton) "O. S. Hog Remedy * * * A Guaranteed treatment for hog cholera if used regularly according to directions on package, also destroys worms, lice, scab mites and many other kinds of parasites. * * * If cholera is Near feed Twice a week."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture containing sodium sulphate, zinc sulphocarbolate, arsenic trioxid, sodium chlorid, sulphur, charcoal, ground oil cake, and alizarin coloring.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements printed on the cartons were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it on the carton.

On January 7, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property be destroyed by the United States marshal.

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

9128. Adulteration of tomato catsup. U. S. * * * v. 499 Cases * * * of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14132. I. S. No. 6361-t. S. No. E-3026.)

On January 3, 1921, 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 499 cases of tomato catsup, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 7, 1920, by the Cruikshank Bros. Co., Pittsburgh, Pa., and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "White Rose Tomato Ketchup."

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

On January 20, 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.*

9129. Adulteration and misbranding of oil of birch. U. S. * * * v. 1 Can * * * of a Product Purporting to be Oil of Birch. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14159. I. S. No. 6898-t. S. No. E-3041.)

On January 8, 1921, 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 one can containing 42 pounds and 13 ounces of a product