

Analyses of samples of the articles by the Bureau of Chemistry of this department showed, in the case of the Surety Brand, 35.1 per cent of protein, equivalent to 6.83 per cent of ammonia, 15 per cent of crude fiber, and approximately 30 per cent of cottonseed hulls, and in the Veribest Brand, 5.99 per cent of nitrogen, 7.28 per cent of ammonia, 37.49 per cent of protein, and 12.71 per cent of crude fiber.

Adulteration of the Surety Brand meal was alleged in the information for the reason that cottonseed hulls had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for cottonseed meal, which the article purported to be.

Misbranding of the Surety Brand meal was alleged for the reason that the statement, to wit, "Cotton Seed Meal * * * Guarantee Protein not less than 36.00 per cent Equivalent to Ammonia 7.00 [per cent] * * * Fibre Not more than 14.00 [per cent]," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of cottonseed meal, and that it contained not less than 36 per cent of protein, equivalent to 7 per cent of ammonia, and that it contained not more than 14 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of cottonseed meal, and that it contained not less than 36 per cent of protein, equivalent to 7 per cent of ammonia, and that it contained not more than 14 per cent of fiber, whereas, in truth and in fact, said article did not consist wholly of cottonseed meal, but consisted in part of cottonseed hulls, and it contained less than 36 per cent of protein, equivalent to 7 per cent of ammonia, to wit, approximately 35 per cent of protein, equivalent to approximately 6.83 per cent of ammonia, and said article contained more than 14 per cent of fiber, to wit, approximately 15 per cent of fiber. Misbranding of the Veribest Brand meal was alleged for the reason that the statement, to wit, "Analysis: Ammonia $7\frac{1}{2}$ Per Cent Protein $38\frac{1}{2}$ [Per Cent] Nitrogen 6.17 [Per Cent] * * * Crude Fiber, not over 10 [Per Cent]," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than $7\frac{1}{2}$ per cent of ammonia, not less than $38\frac{1}{2}$ per cent of protein, not less than 6.17 per cent of nitrogen, and not more than 10 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than $7\frac{1}{2}$ per cent of ammonia, not less than $38\frac{1}{2}$ per cent of protein, not less than 6.17 per cent of nitrogen, and not more than 10 per cent of crude fiber, whereas, in truth and in fact, it contained less than $7\frac{1}{2}$ per cent of ammonia, less than $38\frac{1}{2}$ per cent of protein, less than 6.17 per cent of nitrogen, and more than 10 per cent of crude fiber, to wit, approximately 7.28 per cent of ammonia, approximately 37.49 per cent of protein, approximately 5.99 per cent of nitrogen, and approximately 12.71 per cent of crude fiber.

On March 2, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$75 and costs.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9413. Misbranding of Krause's Phosphorets. U. S. * * * v. 8 Packages * * * of Krause's Phosphorets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13734. Inv. No. 23370. S. No. C-2528.)

On October 7, 1920, the United States attorney for the Northern District of Illinois, 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 8 packages of Krause's Phosphorets, at Chicago, Ill., alleging that the article had been shipped by the Norman Lichty Mfg. Co., Des Moines, Iowa, on June 14, 1920, and transported from the State of Iowa into the State of Illinois, 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 ferrous carbonate, asafetida, and traces of elemental phosphorus.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements, regarding the curative or therapeutic effect thereof, appearing upon the carton containing the article and in the circular inclosed therein, to wit, (carton) "Nervous Debility * * * Neurasthenia * * * Exhausted Nerve Force," (circular) " * * * will cure all diseases arising from a shattered condition of the nervous system, or the exhaustion of the vital energies of the brain from overwork, worry, dissipation, excesses or overindulgence of any kind * * * successful in the treatment of nervous debility, dizziness, despondency, paralysis, neurasthenia, * * * ringing noises in the head, lack of energy or ambition, * * * muscular weakness, shortness of breath * * * pain in the back, loss of memory, indecision, sciatica, early decay, rheumatism, hysteria, wasting diseases, * * * restore the blood to its normal condition, throw off the impurities and overcome diseases infesting the system. * * * For Men * * * They will * * * cure * * * spermatorrhea * * * drains of the prostatic fluid * * *," were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of such purchasers the impression and belief, that the said article was composed of or contained ingredients or medicinal agents, or combinations of ingredients, effective as a remedy for the various diseases, ailments, and afflictions mentioned therein, whereas, in truth and in fact, it did not contain ingredients effective for the purposes named.

On April 15, 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.

C. W. PUGSLEY,

Acting Secretary of Agriculture.

9414. Adulteration and misbranding of Waukesha Water. U. S. * * * v. 10 Cases * * * and 19 Cases * * * of Waukesha Water * * *. Default decrees of condemnation, forfeiture, and destruction or sale. (F. & D. Nos. 13836, 13980. I. S. Nos. 1349-t, 2318-t. S. Nos. C-2568, C-2600.)

On October 30 and November 30, 1920, respectively, the United States attorney for the Eastern District of Illinois, 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 10 cases and 19 cases, more or less, of Waukesha Water, consigned by Wm. H. Anderson, Waukesha, Wis., remaining unsold in the original unbroken packages at Centralia, Ill., alleging that the article had been shipped from Waukesha, Wis., on or about August 6 and October 29, 1920, respectively, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Anderson's Genuine Waukesha Water The Best By Test * * * Natural Mineral Water W. H. Anderson, Proprietor Natural Spring Water."