

part for, pure cider vinegar, and for the further reason that the article was mixed with distilled vinegar in a manner whereby its damage and inferiority were concealed.

Misbranding was alleged for the reason that the statement on the label, "Pure Cider Vinegar * * * Made From Apples," was false and misleading and deceived and misled the purchaser in that the product was not pure cider vinegar made from apples. Misbranding was alleged for the further reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure cider vinegar.

On March 14, April 16, and June 25, 1921, respectively, 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.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9590. Misbranding of beans. U. S. * * * v. Frank E. Van Citters (Decatur Produce Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 12321. I. S. Nos. 6830-r, 6831-r.)

On May 24, 1920, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank E. Van Citters, trading as the Decatur Produce Co., Decatur, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about July 23, 1919, from the State of Arkansas into the State of Texas, of quantities of string beans which were misbranded.

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 was not plainly and conspicuously marked on the outside of the package.

On June 15, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9591. Misbranding of Blumer's herb tea. U. S. * * * v. Lincoln Chemical Works, a Corporation. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 12340. I. S. No. 8108-r.)

On November 30, 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 an information against the Lincoln Chemical Works, a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 15, 1919, from the State of Illinois into the State of Nebraska, of a quantity of Blumer's herb tea which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a mixture consisting essentially of althea, licorice, couch grass, sage, senna, elder flowers, sassafras, with small amounts of anise, fennel, melissa, American saffron, German chamomile, dandelion, liverwort, and a trace of lungwort. The weight of the contents of the boxes was 4.75 ounces, a shortage of 1.25 ounces from the declared weight, or 20.8 per cent.

Misbranding of the article was alleged in substance in the information for the reason that the statements, to wit, "Blumer's Golden Tonic Herb Tea Is an active Blood Purifier A powerful remedy against all Pulmonary Troubles, Colds, La Grippe. * * * The only remedy that is unsurpassed for Bladder And Kidney Diseases. * * * For Female Complaints and all chronic troubles * * * A Guaranteed Remedy used for Generations against all Stomach Complaints, Lung Troubles and Constitutional weaknesses," appearing on the

wrappers of the boxes containing the article, falsely and fraudulently represented it to be effective as an active blood purifier, as a remedy against all pulmonary troubles, colds, la grippe, bladder diseases, kidney diseases, as a remedy for female complaints and all chronic troubles, as a remedy against all stomach complaints, lung troubles, and constitutional weaknesses, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the statement, "Contains 6 Oz.," borne on the wrappers of the said boxes, was false and misleading in that it represented that each of the boxes contained 6 ounces of the article, whereas, in truth and in fact, each of the said boxes did not contain 6 ounces of the article, but did contain a less amount.

On July 1, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9592. Misbranding of "Monarch" Brand cottonseed feed. U. S. * * * v. Monarch Mills, a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 12346. I. S. No. 10917-r.)

On June 30, 1920, the United States attorney for the Eastern District of Tennessee, 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 Monarch Mills, a corporation, Chattanooga, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 11, 1919, from the State of Tennessee into the State of Kentucky, of a quantity of "Monarch" Brand cottonseed feed which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 18.20 per cent of protein, 24.40 per cent of crude fiber, and 2.75 per cent of ether extract (crude fat).

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Protein 20 per cent Fat 3½ per cent Fibre 22 per cent," borne on the tags attached to the sacks containing the said 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 20 per cent of protein, not less than 3½ per cent of fat, and not more than 22 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 contained not less than 20 per cent of protein, not less than 3½ per cent of fat, and not more than 22 per cent of fiber, whereas, in truth and in fact, said article did contain less protein and fat and more fiber than represented by said statement, to wit, approximately 18.20 per cent of protein and 2.7 per cent of fat, and approximately 24.40 per cent of fiber.

On November 9, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9593. Misbranding of Texas Wonder. U. S. * * * v. 144 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12383. I. S. No. 9683-r. S. No. C-1916.)

On May 3, 1920, the United States attorney for the Western District of Texas, 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 144 bottles of Texas Wonder, at Waco, Tex., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about March 20, 1920, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.