

flavor pie filling compound, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Jewel Tea Co., from Chicago, Ill., October 16, 1920, and transported from the State of Illinois into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Jewel Brand Lemon Flavor Pie Filling Compound \* \* \* Jewel Tea Co., Inc. Headquarters New York, New Orleans, Chicago, San Francisco \* \* \*"

Adulteration of the article was alleged in the libel for the reason that an artificially colored product consisting essentially of cornstarch, sugar, gelatin, and citric acid, and containing no eggs, had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article was mixed and colored in a manner whereby damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the statement on the label, "Lemon Flavor Pie Filling Compound," was false and misleading and deceived or misled the purchaser, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On June 30, 1921, the Jewel Tea Co. having entered an appearance as claimant for the property and having admitted the allegations of the libel, judgment was entered finding the article to be adulterated and misbranded as alleged in the said libel, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that it be relabeled.

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

**9740. Misbranding of Gold Medal compound pills. U. S. \* \* \* v. 3 Dozen and 5 Dozen Packages \* \* \* of \* \* \* Gold Medal Compound Pills. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13256, 13257. I. S. Nos. 358-t, 361-t, 362-t. S. Nos. C-2126, C-2127, C-2128.)

On August 14, 1920, the United States attorney for the District of Kansas, 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 3 dozen and 5 dozen packages of Gold Medal compound pills, remaining unsold in the original unbroken packages at Wichita, Kans., alleging that the article had been shipped by the S. Pfeiffer Mfg. Co., St. Louis, Mo., on or about March 22, July 1, and July 15, 1920, respectively, and transported from the State of Missouri into the State of Kansas, 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 the pills consisted essentially of ferrous sulphate, oil of pennyroyal, and aloes.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements regarding the therapeutic or curative effect thereof, appearing in the circular in each of the packages containing the said article, to wit, "\* \* \* Gold Medal Compound Pills Begin by taking one Pill before each meal \* \* \* Four or five days before the expected appearance of the menstrual flow, drink freely \* \* \* of hot ginger tea \* \* \* in cases of suppressed menstruation," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effect claimed, and the said statements were applied to the article so as to repre-

sent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that it was composed of or contained ingredients or medicinal agents capable of producing the therapeutic effect claimed, when, in truth and in fact, it contained no ingredients capable of producing the effects claimed.

On December 2, 1920, 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.*

**9741. Adulteration of mineral water. U. S. \* \* \* v. 216 Cases of Mineral Water. Consent decree of condemnation and forfeiture. Product ordered destroyed and bottles returned to claimant. (F. & D. No. 11107. I. S. No. 6788-r. S. No. C-1429.)**

On August 26, 1919, the United States attorney for the Western District of Louisiana, 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 216 cases of mineral water, remaining unsold in the original unbroken packages at Alexandria, La., alleging that the article had been shipped by the Texas Carlsbad Wells, Mineral Wells, Tex., June 4, 1919, and transported from the State of Texas into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Mineral Wells Texas Carlsbad Water."

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

At the April, 1921, term of the said District Court, the Carlsbad Water Co., Mineral Wells, Tex., claimant, having admitted that the water was unfit for human consumption and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that, upon payment of the costs of the proceedings or the execution of a bond therefor, the marshal empty the water from the bottles containing the same and deliver the bottles to the said claimant.

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

**9742. Adulteration and misbranding of loganberry soda water. U. S. \* \* \* v. The Standard Bottling Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 11206. I. S. No. 6857-r.)**

At the May, 1920, term of the United States District Court within and for the District of Colorado, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against the Standard Bottling Co., a corporation, Denver, Colo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 11, 1918, from the State of Colorado into the State of Nebraska, of a quantity of loganberry soda water which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an artificially-colored, sweetened, carbonated beverage containing a small quantity of a benzoate or benzoic acid, and little, if any, fruit constituents.

Adulteration of the article was alleged in the information for the reason that it had been colored in a manner whereby inferiority was concealed, and for the further reason that a solution of sugar, water, and artificial coloring and flavoring matter and benzoate of soda had been mixed and packed therewith so