

quantity, and the said article did not contain 8 per cent or less of crude fiber, but did contain a greater amount.

On June 9, 1917, a plea of guilty to the information was entered on behalf of the Union Seed & Fertilizer Co., and the court imposed a fine of \$100 and costs. On October 4, 1921, a plea of nolo contendere was entered on behalf of the Humphreys-Godwin Co., and the court imposed a fine of \$25 and costs.

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

9922. Adulteration and misbranding of olive oil. U. S. * * * v. Maggioros & Rousos. Pleas of nolo contendere. Fine, \$25. (F. & D. No. 9229. I. S. No. 6567-p.)

On October 28, 1919, the United States attorney for the Western 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 an information against Spiro Rousos and Harry Maggioros, copartners, trading as Maggioros & Rousos, Rochester, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about May 13, 1918, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product was essentially cottonseed oil.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for olive oil, which the said article purported to be.

Misbranding was alleged for the reason that the statement in prominent type in the Italian language, to wit, "Olive Oil," and the statement in smaller type in the English language, to wit, "With First Quality Pure Salad Oil," borne on the cans containing the said article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was olive oil, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, whereas, in truth and in fact, it was not olive oil but was a product composed in part of cottonseed oil. Misbranding was alleged for the further reason that the said article was a product composed in part of cottonseed oil and was an imitation of, and was offered for sale and sold under the distinctive name of, another article, to wit, olive oil.

On September 20, 1921, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$25.

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

9923. Misbranding of cottonseed cake. U. S. * * * v. Osage Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 11120. I. S. No. 10826-r.)

On June 28, 1920, the United States attorney for the Eastern District of Oklahoma, 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 Osage Cotton Oil Co., a corporation, trading at Tulsa, Okla., alleging shipment by said company, on or about June 10, 1918, in violation of the Food and Drugs Act, as amended, from the State of Oklahoma into the State of Kansas, of a quantity of cottonseed cake which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the average net weight of 35 sacks was 96.46 pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 lbs. Gross, 99 lbs. Net," borne on the tags attached to the sacks containing the article, regarding the said article, was false and misleading in that it represented that each of the said sacks contained 99 pounds of the article 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 said sacks contained 90 pounds thereof, whereas, in truth and in fact, each of the said sacks did not contain 99 pounds of the said article, but did contain a less amount.

On September 30, 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.*

9924. Misbranding of McConnon's stock tonic. U. S. * * * v. 42 Packages and 5 Pails of McConnon's Stock Tonic. Default decrees of condemnation and forfeiture. Product ordered disposed of according to law. (F. & D. Nos. 11456, 11468. I. S. Nos. 8414-r, 8415-r, 8416-r. S. Nos. C-1526, C-1543.)

On October 10 and 15, 1919, respectively, the United States attorney for the Eastern District of Arkansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 42 packages and 5 pails of McConnon's stock tonic, at Cotton Plant, Ark., alleging that the article had been shipped by McConnon & Co., Memphis, Tenn., August 5 and 29, 1919, respectively, and transported from the State of Tennessee into the State of Arkansas, 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 salt, charcoal, American wormseed, capsicum, gentian, fenugreek, and cereal filler.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements appearing in the labeling, regarding the curative and therapeutic effects thereof, to wit, (wrapper) "* * * Horses * * * For * * * epizooty, influenza, * * * Hog Cholera. * * * Feed two large tablespoonfuls to each hog or two pigs three times a day. If diseased feed 1 to 6 tablespoonfuls to each hog or two pigs 3 times a day. * * *," (booklet) "* * * Cattle, Milch Cows and Calves * * * Scours. McConnon's Stock Tonic in doses of two or three tablespoonfuls three times a day. In very bad cases add a tablespoonful of powdered charcoal to the dose of the Tonic and mix with the regular feed. * * * Hogs, Sows, Pigs and Shoats * * * Scours. Give two or four tablespoonfuls of McConnon's Stock Tonic to each pig in small amounts of feed. If disease is very bad add one tablespoonful of powdered charcoal to the regular dose of Tonic and feed until disease is improved, then use the Tonic only. Hog Cholera. * * * Give each hog six large tablespoonfuls McConnon's Stock Tonic in good, wholesome, easily digested food, such as ground feed, rye, oats, etc., mixed with milk or pure water, every three hours until cured. Be sure that each hog gets his proper share of the Tonic, otherwise it will not act. The dose can be increased if necessary with perfect safety. If you have hog cholera on your premises or in your neighborhood feed well hogs four tablespoonfuls of McConnon's Stock Tonic three or four times a day in regular food * * *," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 23, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture, were entered, and it was ordered by the