

District Court of the United States for said district a libel, and on February 7, 1921, an amended libel, for the seizure and condemnation of 29 sixteen-ounce bottles of Euca-Mul, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Edw. G. Binz Co., Los Angeles, Calif., on or about November 8, 1920, and transported from the State of California into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Euca-Mul Binz * * * Croup, Bronchitis Bronchial Asthma Tuberculosis Whooping Cough And Other Throat And Lung Affections" Dose $\frac{1}{2}$ to one teaspoonful as needed * * * Man'f'd by Edw. G. Binz Company * * * Los Angeles, Cal."; (circular) "* * * Will * * * relieve any kind of cough; will relieve all chronic coughs, and will arrest paroxysms in whooping cough; * * * For Whooping Cough * * * Use * * * and * * * you will control the whooping cough in a short time. Consumption In this trouble, use Euca-Mul * * * for the effect in the disease, regardless of the cough, * * * Asthma This disease should be treated with Euca-Mul, * * * Croup * * * Euca-Mul will be appreciated in this disease. * * * The persistent use of Euca-Mul brings the best result * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an emulsion of eucalyptus oil, reducing sugar, glycerin, gum, alcohol, and water.

Misbranding of the article was alleged in substance in the libel, as amended, for the reason that the above-quoted statements appearing on the bottle labels and in the circular accompanying the article, regarding the curative and therapeutic effect thereof, were false and fraudulent, since the said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On March 15, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and on December 29, 1921, it was ordered by the court that the product be destroyed by the United States marshal.

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

10185. Adulteration of coal-tar color. U. S. * * * v. 1 Pound * * * of Coal-Tar Color. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14982. I. S. No. 6591-t. S. No. E-3213.)

On June 6, 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 1 pound of coal-tar color, remaining unsold in the original unbroken package at New Rochelle, N. Y., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about March 11, 1921, and transported from the State of Missouri into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "W. B. Wood Mfg. Co., St. Louis, Mo., Warranted * * * Complies with all requirements Quality Color * * * #510 Yellow * * *."

Adulteration of the article was alleged in the libel for the reason that sodium chlorid and sodium sulphate had been mixed and packed with and substituted in part for the said article, and for the further reason that it contained an added poisonous or deleterious ingredient, arsenic, which might render the said article injurious to health.

On November 17, 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.*

10186. Misbranding of olive oil. U. S. * * * v. 27 Cans * * * of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15016. I. S. No. 6624-t. S. No. E-3403.)

On July 7, 1921, the United States attorney for the District of New Jersey, 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 27 cans of olive oil, remaining unsold at Paterson, N. J., alleging that the article had been shipped by the Lyriotakis Bros., New York, N. Y., on or about April 28, 1921, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act,

as amended. The article was labeled in part: "Net Contents $\frac{1}{4}$ Gallon * * * Pure Olive Oil Olio D'Oliva Puro Vittoria Brand * * * Lyriotakis Bros., Importers & Packers New York * * *"

Misbranding of the article was alleged in the libel 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, since the quantity stated thereon was greater than the actual contents of the package.

On January 19, 1922, 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.*

10187. Adulteration of canned cherries. U. S. * * * v. 129 Cases * * * of Canned Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15077. I. S. No. 538-t. S. No. C-3083.)

On June 23, 1921, the United States attorney for the Southern District of Ohio, 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 129 cases of canned cherries, remaining unsold in the original cases at Steubenville, Ohio, consigned by the South Haven Preserving Co., Gobleville, Mich., August 9, 1919, alleging that the article had been shipped from Gobleville, Mich., and transported from the State of Michigan into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "South Haven Brand Pitted Cherries * * * South Haven Preserving Co., Factories: South Haven & Gobleville, Mich."

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

On December 10, 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.*

10188. Misbranding of crab meat. U. S. * * * v. Washington L. Tull and W. Edwin Riggin (W. L. Tull & Bro.). Pleas of nolo contendere. Fine, \$10 and costs. (F. & D. No. 15429. I. S. No. 6661-t.)

On November* 28, 1921, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Washington L. Tull and W. Edwin Riggin, trading as W. L. Tull & Bro., Crisfield, Md., alleging shipment by said defendants, on or about May 25, 1921, in violation of the Food and Drugs Act, as amended, from the State of Maryland into the State of New York, of a quantity of crab meat which was misbranded.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Contents 5 Lbs. Net," borne on the cans containing the article, regarding the article, was false and misleading in that it represented that each of the said cans contained 5 pounds net of the said article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained 5 pounds net of the article, whereas, in truth and in fact, each of the said cans did not contain 5 pounds net of the said article but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 28, 1921, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$10 and costs.

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

10189. Adulteration of coriander seed. U. S. * * * v. 4 Sacks * * * of Coriander Seed. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15688. I. S. No. 1239-t. S. No. C-3343.)

On December 2, 1921, the United States attorney for the Eastern District of Missouri, 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 4 sacks of coriander seed, remaining unsold in the original