

Adulteration of the article was alleged in the libels for the reason that maltose and saccharin had been substituted wholly or in part for the said article; for the further reason that it had been mixed in a manner whereby its inferiority was concealed; and for the further reason that the said article contained an added poisonous and deleterious ingredient, to wit, saccharin, which might render it injurious to health.

Misbranding was alleged for the reason that the statement, to wit, "Blend Syrup," was false and misleading and deceived and misled the purchaser in that the said article was not a blend sirup, but was, in truth and in fact, a composition consisting of maltose sirup, containing saccharin. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Blend Syrup."

On July 2, 1921, 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.*

**10231. Adulteration of coal-tar color. U. S. \* \* \* v. 2 Pounds of Coal-Tar Color. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14801. I. S. No. 7868-t. S. No. E-3214.)**

On April 18, 1921, the United States attorney for the Middle District of Pennsylvania, 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 2 pounds of coal-tar color, remaining unsold in the original unbroken packages at York, Pa., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about April 10, 1921, and transported from the State of Missouri into the State of Pennsylvania, 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., \* \* \* Red."

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

On October 1, 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.*

**10232. Adulteration and misbranding of vinegar. U. S. \* \* \* v. Maine Pickling Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 14926. I. S. No. 13210-r.)**

On August 18, 1921, the United States attorney for the District of Maine, 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 Maine Pickling Co., a corporation, Portland, Me., alleging shipment by said company, on or about January 14, 1920, in violation of the Food and Drugs Act, as amended, from the State of Maine into the State of New Hampshire, of a quantity of vinegar which was adulterated and misbranded. The article was labeled in part, "Maine Brand Sugar Vinegar \* \* \* Maine Pickling Co., Portland, Me. \* \* \*"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of distilled vinegar colored with caramel.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, distilled vinegar, 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 sugar vinegar, which the said article purported to be. Adulteration was alleged for the further reason that the article was a product inferior to sugar vinegar, to wit, a mixture composed in part of distilled vinegar, and was colored with caramel so as to simulate the appearance of sugar vinegar and in a manner whereby its inferiority to said sugar vinegar was concealed.

Misbranding was alleged for the reason that the statement, to wit, "Sugar Vinegar," borne on the labels attached to the bottles containing the article, regarding the article and the ingredients and substances contained therein,

was false and misleading in that it represented that the article was sugar vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was sugar vinegar, whereas, in truth and in fact, it was not sugar vinegar but was a mixture composed in part of distilled vinegar. Misbranding was alleged for the further reason that the article was a mixture composed in part of distilled vinegar artificially colored, prepared in imitation of, and offered for sale and sold under the distinctive name of, another article, to wit, sugar vinegar. 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 December 22, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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

**10233. Misbranding of Lung Germine. U. S. \* \* \* v. 14 Bottles and 23 Bottles \* \* \* of Drug Products. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 15135, 15136. I. S. Nos. 2941-t, 2942-t. S. Nos. C-3111, C-3112.)

On July 13, 1921, the United States attorney for the Southern District of Texas, 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 37 bottles of drugs, at Houston, Tex., consigned on or about September 16, 1920, and February 2, 1921, respectively, alleging that the article had been shipped by the Lung Germine Co., Jackson, Mich., and transported from the State of Michigan into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) “\* \* \* Use no other lung medicine when using Lung Germine. Read carefully the circular accompanying this bottle. \* \* \* Your Lungs; Are They Weak Or Painful? Do your lungs ever bleed? Do you have night sweats? Are you short of breath? Have you pains in chest and sides? Do you spit yellow and black matter? Do you have pains under your shoulder blades? These Are Regarded Symptoms of Lung Trouble. Do Not Neglect These Symptoms. Keep Lung Germine in your home ready for immediate use at the first sign of Membraneous Lung Disease or Bronchial Irritation. \* \* \* Treatment For Relief Of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Diseases and Pulmonary Disorganization with Bronchial Irritation (In Pre-tubercular Stages) \* \* \*” (bottle) “\* \* \* Treatment For Relief Of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Disease and Pulmonary Disorganization with Bronchial Irritation. (In Pre-tubercular Stages) \* \* \* Use no other lung medicine while using Lung Germine. Read carefully the circular accompanying this bottle \* \* \*”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphuric acid and water with small amounts of iron sulphate, alcohol, and aromatics.

Misbranding of the article was alleged in substance in the libels for the reason that the package or label failed to bear a statement of the quantity of alcohol contained therein; for the further reason that the statement on the bottle and carton containing the said article, “Alcohol by volume 10 per cent” [“Contains 10% Alcohol”], was false and misleading; and for the further reason that the above-quoted statements regarding the curative or therapeutic effect of the said article, appearing on the labels of the said cartons and bottles, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 11, 1921, 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.*

**10234. Misbranding of olive oil. U. S. \* \* \* v. 32 Cans of Olive Oil. Default decree of condemnation and forfeiture. Product ordered sold or destroyed.** (F. & D. No. 15316. I. S. No. 6677-t. S. No. E-3463.)

On August 10, 1921, the United States attorney for the District of Connecticut, 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 con-