

entered, and it was ordered by the court that 3 boxes and 8 one-gallon cans of the product be destroyed and that 5 barrels, 1 box, and 19 one-gallon cans thereof be delivered to the Salvation Army for consumption and not for sale. On January 17 and 18, 1922, respectively, judgments of condemnation and forfeiture were entered by consent as to the remainder of the product, and it was ordered by the court that one case of the product be destroyed and that 22 barrels thereof be delivered to the Salvation Army.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10290. Adulteration of loganberries. U. S. * * * v. 11 Cases and 19 Cases of Loganberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 650-c.)

On January 5, 1922, the United States attorney for the District of Maine, acting upon a report by an official of the Department of Agriculture of Maine, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 cases of loganberries, remaining unsold in the original unbroken packages at Bangor, Me., alleging that the article had been shipped by the Bay State Grocery Co., Boston, Mass., on or about November 25, 1921, and transported from the State of Massachusetts into the State of Maine, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, respectively: "Irvington Brand Logan Berries" and "Special Extra Grade Logan Berries."

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

On February 7, 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. F. MARVIN, *Acting Secretary of Agriculture.*

10291. Misbranding of food sweetener. U. S. * * * v. 10 Pounds of Alleged Food Sweetener. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13050. I. S. No. 9363-r. S. No. E-2430.)

On or about July 19, 1920, the United States attorney for the Northern District of Florida, 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 10 pounds of alleged food sweetener, remaining in the original unbroken packages at Gainesville, Fla., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., June 28, 1920, and transported from the State of Missouri into the State of Florida, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Wood's Special Concentrated Sweetener. 500-500 Soluble in Cold Water. Not sold as a drug. W. B. Wood Mfg. Co., St. Louis, Mo."

Misbranding of the article was alleged in substance in the libel for the reason that the above quotation from the label of the cans containing the said article was false and misleading in that the said article was shown by chemical analysis to contain sucrose, sodium bicarbonate, saccharin, and cornstarch.

On August 14, 1920, 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. F. MARVIN, *Acting Secretary of Agriculture.*

10292. Misbranding of Howells' Lymphine tablets. U. S. * * * v. 4 Packages of * * * Howells' Lymphine Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13572. I. S. No. 6292-t. S. No. E-2616.)

On September 2, 1920, 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 4 packages of Howells' Lymphine tablets, at Paterson, N. J., alleging that the article had been shipped by Charles H. Howells & Co., New York, N. Y., on or about May 10, 1920, 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: (Wrapper and bottle label) "* * * Nervous Prostration Dyspepsia, Nervous Indigestion * * * Catarrh, Melancholia Women At Change Of Life Premature Decay And All Nervous And Mental Diseases * * *"; (circular) "* * * Lymphine Tablets * * * Vitalizer * * * Restore Nerve and brain tissues * * *

relieve all forms of weakness * * * not only alleviate, but in many cases cure mental and physical diseases * * * such as Neurasthenia, or Nervous Prostration, Depleted Nerve Force, Impoverished or Impure Blood, Diseases of the Digestive or Eliminative System, Nervous Dyspepsia, Female Disorders attendant on the 'Change of Life,' irregularities of Uterine Troubles generally, etc. * * * Improve Vital Powers In Both Sexes * * * of inestimable value to sufferers from locomotor ataxia. * * * Debility * * * Restore Youthful Vigor And Elasticity * * * Melancholia * * ** For All Nervous and Mental Disorders * * * Liquor and Drug Addictions * * * The Best Remedy in Female Disorders * * * Catarrh * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of coated pills containing iron carbonate, aloes, nux vomica, and phosphorus.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effect of the said article were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 11, 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. F. MARVIN, *Acting Secretary of Agriculture.*

10293. Adulteration and misbranding of vinegar. U. S. * * * v. 112 Dozen Bottles and 13 Jugs * * * of Vinegar. Decree entered with respect to the 112 dozen bottles of the product declaring it to be misbranded and ordering its release under bond. Default decree of condemnation, forfeiture, and destruction with respect to the 13 jugs of the product. (F. & D. Nos. 14181, 14182. I. S. Nos. 3202-t, 3204-t. S. Nos. C-2678, C-2679.)

On January 13 and 15, 1921, respectively, the United States attorney for the Eastern District of Arkansas, 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 112 dozen bottles and 13 jugs of vinegar, at Calico Rock and Paragould, Ark., respectively, alleging that the article had been shipped by the Henderson Pickle & Vinegar Co. and the National Vinegar Co., respectively, of St. Louis, Mo., on or about April 20 and 28, 1920, respectively, and transported from the State of Missouri into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, respectively: (Bottles) "Henderson's Quality 16 Oz. Corn Sugar Vinegar * * * Packed By Henderson Pickle & Vinegar Co. St. Louis, Mo.;" (jugs) "Golden West Brand Reduced to 4% Acidity Sugar & Distilled Vinegar Contents (in pencil) one Gallon Packed & Guaranteed By Southern Manufacturing Co. St. Louis."

Adulteration of the article was alleged in the libels for the reason that distilled vinegar or dilute acetic acid had been mixed and packed with, and substituted wholly or in part for, the said article.

Misbranding of the article was alleged in substance for the reason that the statements appearing on the respective labels, to wit, "Corn Sugar Vinegar" and "Sugar & Distilled Vinegar," were false and misleading and deceived and misled purchasers. Misbranding was alleged for the further reason that the article was an imitation of, and offered for sale under the distinctive name of, another article, and for the further reason that the said article 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 was incorrect.

On May 3, 1921, no claimant having appeared for the 13 jugs of the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said 13 jugs be destroyed by the United States marshal. On December 13, 1921, the Calico Rock Grocer Co., Calico Rock, Ark., having entered an appearance as claimant for the 112 dozen bottles of the said product, judgment of the court was entered declaring this portion of the product to be misbranded and ordering that it be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act, conditioned in part that it be relabeled as "Imitation Corn Sugar Vinegar composed of Colored Distilled Vinegar" and that the declaration as to the quantity of the contents now reading "16 Ozs." be corrected to read "15 Fl. Ozs."

C. F. MARVIN, *Acting Secretary of Agriculture.*