

the State of California, 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 of a mixture of a sulphureted vegetable oil and kerosene.

Misbranding of the article was alleged in substance in the labels for the reason that the following statements appearing on the labels of the packages containing the said article and in the accompanying circular, to wit, (label, both sizes) "A Safe, Speedy, Reliable Relief For \* \* \* Fistulas, Withers, Poll Evil \* \* \* Scalded Heads on Children, Skin Eruptions, also Colic \* \* \* Coughs and Distemper in Horses and Cattle, Roup in Chickens, etc. \* \* \*," (label, large size additional) "Coughs, \* \* \* Colic, \* \* \* Ninety per cent of cases are cured in twenty minutes; then quit. \* \* \*" (circular, both sizes) "\* \* \* Teamsters Safeguard \* \* \* Horse Coughing, \* \* \* Horse got Distemper, Pink Eye, etc., \* \* \* Horse got Colic. \* \* \* Chicken got Roup, \* \* \* Stallions, give on tongue \* \* \* during season, \* \* \* Get well acquainted with the workings of this medicine, \* \* \* and remember anything on man or beast that has a sore of any description. The Black Oil Is Your Doctor. Try It And Be Convinced \* \* \* Don't Let Your Chickens Die With Avian Diphtheria Known as Chicken Roup \* \* \* While Avian Diphtheria is entirely different from the human form, cases are recorded where children have contracted serious and even fatal sore throat from this source. \* \* \* Don't waste any time. Catch the fowl and give half teaspoonful to each chicken diseased in mouth, and smear the whole head, once a day, for three days with Dr. Nunn's Black Oil Healing Compound \* \* \*," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On May 29, 1922, 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 disposed of according to law. The product was destroyed.

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

**10540. Adulteration and misbranding of orange drip compound and grape drip compound. U. S. \* \* \* v. Julius King (with others trading as the Orange Drip Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 15858. I. S. Nos. 5964-t, 9304-t.)**

On March 20, 1922, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Julius King, a member of a copartnership trading as the Orange Drip Co., Chattanooga, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 6, 1921, from the State of Tennessee into the State of Florida, of a quantity of grape drip compound, and on or about July 7, 1921, from the State of Tennessee into the State of Pennsylvania, of a quantity of orange drip compound, which were adulterated and misbranded. The articles were labeled in part, respectively: (Kegs) "Grape Drip Compound \* \* \* The Orange Drip Company, Chattanooga, Tenn. \* \* \*" and "Orange Drip Compound \* \* \*"

Analysis of a sample of the grape drip compound by the Bureau of Chemistry of this department showed that it was a sugar sirup artificially colored and flavored, with added citric acid and phosphates, and containing apparently no portion of the natural grape; analysis of a sample of the orange drip compound by said bureau showed that it was a sugar sirup artificially colored and flavored with orange oil, but containing no fruit juice.

Adulteration of the articles was alleged in substance in the information for the reason that substances, to wit, an artificially colored and flavored sirup containing no grape or grape juice, or an artificially colored sugar sirup flavored with orange oil and containing no orange fruit or juice of orange fruit, as the case might be, had been substituted wholly or in part for a fruit sirup containing grape or grape juice or a preparation containing orange fruit or juice of orange fruit, which the said articles purported to be. Adulteration was alleged in substance for the further reason that an artificially colored and flavored sirup or an artificial coloring matter, as the case might be, had been mixed with the said articles in a manner whereby their inferiority to the articles they purported to be was concealed.

Misbranding was alleged in substance for the reason that the statements, to wit, "Grape Drip Compound" and "Orange Drip Compound," borne on the kegs

containing the articles, regarding the articles and the substances contained therein, were false and misleading in that the said statements represented the said articles to contain grape or grape juice, or orange fruit or the juice of orange fruit, as the case might be, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they contained grape or grape juice or orange fruit or the juice of orange fruit, as the case might be, whereas, in truth and in fact, the said grape drip compound contained no grape or juice of the grape but was an artificially flavored and colored sugar sirup preparation, and the orange drip compound was an artificially colored sugar sirup, flavored with orange oil and containing no orange fruit or juice of orange fruit. Misbranding was alleged in substance for the further reason that the articles were imitations of, and were offered for sale under the distinctive names of, other articles, to wit, grape drip compound and orange drip compound.

On April 24, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

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

**10541. Adulteration of shell eggs. U. S. \* \* \* v. Imon Gee (Imon Gee Produce House). Plea of guilty. Fine, \$5 and costs. (F. & D. No. 15598. I. S. No. 3010-t.)**

On March 20, 1922, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Imon Gee, trading as Imon Gee Produce House, Prescott, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 13, 1921, from the State of Arkansas into the State of Texas, of a quantity of shell eggs which were adulterated. The article was labeled in part: "From Imon Gee Produce House \* \* \* Prescott, Arkansas."

Examination, by the Bureau of Chemistry of this department, of the 360 eggs in the consignment showed the presence of 60, or 16½ per cent, inedible eggs, consisting of mixed or white rots, spot rots, blood rings, and chick rots.

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

On May 8, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5 and costs.

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

**10542. Adulteration of shell eggs. U. S. \* \* \* v. Levi Poindexter. Plea of guilty. Fine, \$5 and costs. (F. & D. No. 15454. I. S. No. 3011-t.)**

On December 27, 1921, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Levi Poindexter, DeQueen, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 16, 1921, from the State of Arkansas into the State of Texas, of a quantity of shell eggs which were adulterated. The article was labeled in part: "L. Poindexter \* \* \* DeQueen, Arkansas \* \* \*"

Examination, by the Bureau of Chemistry of this department, of the 360 eggs involved in the consignment showed the presence of 44, or 12.2 per cent, inedible eggs, consisting of mixed or white rots, spot rots, and blood rings.

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

On May 8, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5 and costs.

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

**10543. Adulteration and misbranding of olive oil. U. S. \* \* \* v. G Gallon Cans, 25 Half-Gallon Cans, and 75 Quart Cans \* \* \* of \* \* \* Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15342. I. S. Nos. 15415-t, 15416-t, 15417-t. S. No. E-3541.)**

On or about August 11, 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 6 gallon cans, 25 half-gallon cans, and 75 quart cans of an