

10718. Adulteration of shell eggs. U. S. v. Andy S. Calico. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 16024. I. S. No. 13464-t.)

On May 24, 1922, 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 Andy S. Calico, Lenapah, Okla., alleging shipment by said defendant on or about July 21, 1921, from the State of Oklahoma into the State of Kansas, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of a sample of the article consisting of 360 eggs showed the presence of 50 inedible eggs, or 13.88 per cent, composed of black rots, mixed or white rots, moldy, spot rots, and blood rings.

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

On August 14, 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.*

10719. Misbranding of olive oil. U. S. v. Socrates Moscahlades and Stylianos Moscahlades (Moscahlades Bros.). Pleas of guilty. Fine, \$75. (F. & D. No. 16215. I. S. No. 6020-t.)

On June 26, 1922, 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 an information against Socrates Moscahlades and Stylianos Moscahlades, copartners, trading under the name of Moscahlades Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about May 6, 1921, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was misbranded. The article was labeled in part: "Apollo Brand Extra Refined Pure Olive Oil Specially Imported and Packed By Moscahlades Bros. * * * Net Contents 1 Gallon."

Examination of a sample of the article by the Bureau of Chemistry of this department showed an average shortage on 8 cans from the declared volume of approximately 4.90 per cent.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents 1 Gallon," borne on the cans containing the said article, regarding the article, was false and misleading in that it represented that each of the said cans contained 1 gallon net of the said 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 cans contained 1 gallon net of the said article, whereas, in truth and in fact, each of said cans did not contain 1 gallon net of the 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 June 26, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$75.

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

10720. Misbranding of Zendejas Treatment. U. S. v. 17 Bottles of Zendejas Treatment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15329. I. S. No. 3013-t. S. No. C-3164.)

On September 9, 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 a libel for the seizure and condemnation of 17 bottles of Zendejas Treatment, at Laredo, Tex., alleging that the article had been shipped by P. Joslyn, Los Angeles, Calif. (invoiced by P. Zendejas, Los Angeles, Calif.), on or about May 11, 1921, and transported from the State of California into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular, English and Spanish) "Zendejas Treatment Cleanser and Regenerator of the Blood * * * do not despair * * * the Zendejas Treatment * * * a remedy that purifies the blood * * * a blood purifier * * * rheumatism, kidney trouble, pains in different parts of the body, catarrh, indigestion * * * tumors, sores, pimples, and hundreds of other diseases * * * disappear * * * heart * * * may stop on you most any time * * * Have you any pains? Sores? Does it get dark before you when you arise from a stooping position? Have you a lame back in the morning?"