

**10815. Misbranding of Pratt's cow remedy. U. S. v. 24 Packages of Pratt's Cow Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14441. S. No. E-3120.)**

On February 12, 1921, the United States attorney for the Eastern District of Virginia, 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 24 packages of Pratt's cow remedy, remaining in the original unbroken packages at Rosslyn, Va., alleging that the article had been shipped on or about November 30, 1920, by the Pratt Food Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Virginia, 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 essentially of a mixture of salt, soda, Epsom salt, iron oxid, fenugreek, ginger, nux vomica, and gentian.

Misbranding of the article was alleged in substance in the libel for the reason that the labels thereof bore certain statements regarding the curative and therapeutic effect of said article of drugs, as follows, "Pratts Cow Remedy \* \* \* For Barrenness \* \* \* For Calves: For preventing or treating scours \* \* \* For Accidental or Non-Contagious Abortion \* \* \* Contagious Abortion Retained Afterbirth \* \* \* Pratts Cow Remedy is a tested compound to aid in the prevention and treatment of Abortion (Slinking of Calves), Barrenness (Failure to Breed), Retained Afterbirth \* \* \*" which said statements were false and fraudulent in that the article of drugs did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On July 6, 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.*

**10816. Misbranding of apples. U. S. v. Clarence Nelson. Plea of guilty. Fine, \$25. (F. & D. No. 14514. I. S. Nos. 10267-t, 10268-t.)**

On May 21, 1921, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Clarence Nelson, Green River, Utah, alleging shipment by said defendant in violation of the Food and Drugs Act, as amended, on or about October 2 and 4, 1920, from the State of Utah into the State of Colorado, of quantities of apples which were misbranded. The article in the first shipment was unlabeled and that in the second shipment was labeled: "Winter Banana Fancy."

Misbranding of the article in each shipment was alleged in the information 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.

On November 14, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

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

**10817. Adulteration and misbranding of artificial port wine, blackberry cordial, and non-alcoholic apricot cordial. U. S. v. Charles L. Levy and Ben Arnovitz (Utah Beverage Co.). Pleas of guilty. Fine, \$100. (F. & D. No. 14757. I. S. Nos. 3514-r, 3515-r, 3516-r.)**

On August 22, 1921, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles L. Levy and Ben Arnovitz, operating under the firm name of the Utah Beverage Co., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 19, 1920, from the State of Utah into the State of Idaho, of quantities of articles labeled in part, "Non-alcoholic Port \* \* \* Artificial Port Wine," "Blackberry Cordial, Non-Intoxicating," and "Non-alcoholic Apricot \* \* \* Cordial," which were adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the artificial port was an artificially colored and flavored beverage, with little or no fruit juices, containing benzoate of soda, the blackberry cordial consisted of sugar and phosphoric acid, flavored with cinnamon and benzaldehyde, and colored with caramel and a coal-tar dye, containing benzoic acid or a benzoate, the apricot cordial consisted of sugar and phosphoric acid, colored with caramel, and artificially flavored, containing benzoate of soda.