

November 10, and in part on or about November 23, 1921, and transported from the State of Alabama into the State of Florida, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Tag) "100 Lbs. Standard Cotton Seed Meal Ammonia 7 per cent Protein 36 per cent Fat 6 per cent Carbohydrates 30 per cent Fibre 14 per cent Ingredients: Cotton Seed Meal and Hulls Manufactured by Eaufaula Cotton Oil Co., Eufaula, Ala."

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, appearing on the labeling of the said article, were false and misleading in that the said article did not contain the substances as set forth in the said statements but was deficient in ammonia and protein and contained peanut hulls and excessive quantities of fiber product.

On May 8, 1922, the Eufaula Cotton Oil Co., Eufaula, Ala., claimant, having paid the costs of the proceedings and executed a good and sufficient bond, in conformity with section 10 of the act, it was ordered by the court that the product be released to the said claimant.

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

10932. Adulteration and misbranding of Wine-Berre. U. S. v. Kansas City Kola Co., a Corporation. Confessed judgment. Fine, \$10 and costs. (F. & D. No. 15997. I. S. No. 1027-t.)

On April 12, 1922, the United States attorney for the Western District of Missouri, 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 Kansas City Kola Co., a corporation, Kansas City, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 17, 1921, from the State of Missouri into the State of Kansas, of a quantity of Wine-Berre which was adulterated and misbranded. The article was labeled in part: "Maid of Quality Brand Drink Wine-Berre" (Design of three leaves and three loganberries).

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an artificially colored and flavored beverage containing a small amount of loganberry juice.

Adulteration of the article was alleged in the information for the reason that a product, to wit, an artificially colored mixture which contained only a small amount of fruit, had been substituted for a product made from loganberries which the said article purported to be. Adulteration was alleged for the further reason that the article was a product inferior to an article made from loganberries, to wit, a mixture which contained only a small amount of loganberry juice prepared in imitation of a product made wholly from loganberries, and was artificially colored with a certain coal-tar dye, to wit, amaranth, so as to simulate the appearance of and in a manner whereby its inferiority to a product made wholly from loganberries was concealed.

Misbranding was alleged for the reason that the statement, to wit, "Wine-Berre," together with the design and device of loganberry leaves and loganberries, borne on the labels attached to the bottles containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that they represented that the article was a product wholly made from loganberries, 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 a product wholly made from loganberries, whereas, in truth and in fact, it was not wholly made from loganberries, but was a mixture which contained only a small amount of loganberry juice.

On June 30, 1922, a confession of judgment to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10 and costs.

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

10933. Adulteration of shell eggs. U. S. v. James F. Patterson (Patterson's Cash Store). Plea of guilty. Fine, \$25. (F. & D. No. 16022. I. S. No. 2360-t.)

On May 25, 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 James F. Patterson, trading as Patterson's Cash Store, McCurtain, Okla., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 18, 1921, from the State of Oklahoma into the State of Arkansas, of a

quantity of shell eggs which were adulterated. The article was labeled in part: "* * * From Pattersons Cash Store, McCurtain, Okla."

Examination, by the Bureau of Chemistry of this department, of the 360 eggs in the consignment showed 47, or 13 per cent of the total, to be inedible, consisting of black rots, mixed or white rots, spot rots, and heavy blood rings.

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 July 28, 1922, 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.*

10934. Misbranding of tomatoes. U. S. v. Claude David Jeffords and Ludwig Schoenmann (Jeffords-Schoenmann Co.). Pleas of guilty. Fine, \$75. (F. & D. No. 16026. I. S. No. 18212-t.)

On April 28, 1922, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Claude David Jeffords and Ludwig Schoenmann, copartners, trading as Jeffords-Schoenmann Co., Los Angeles, Calif., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about October 6, 1921, from the State of California into the State of Texas, of a quantity of tomatoes, in lugs, which were misbranded. The article was labeled in part: "* * * Bullseye Brand Jeffords-Schoenmann Co. Calexico-Houston Los Angeles."

Misbranding of the article 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 June 19, 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.*

10935. Misbranding of apples. U. S. v. American Fruit Growers, Inc., a Corporation. Plea of guilty. Fine, \$20. (F. & D. No. 16208. I. S. No. 6011-t.)

On May 23, 1922, the United States attorney for the Western 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 the American Fruit Growers, Inc., a corporation, trading at Lockport, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about April 5, 1921, from the State of New York into the State of Pennsylvania, of a quantity of apples which were misbranded.

Misbranding of the article 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 June 23, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20.

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

10936. Misbranding of Abbott Bros. compound for rheumatism. U. S. v. 8 Bottles, et al, of Abbott Bros. Compound For Rheumatism. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16256, 16257, 16258. S. Nos. C-3574, C-3577, C-3578.)

On May 5, 1922, the United States attorney for the Eastern District of Wisconsin, 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 18½ dozen bottles of Abbott Bros. compound for rheumatism, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Abbott Bros. Co., Berwyn, Ill., between the dates of July 5, 1921, and February 3, 1922, and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "* * * For Rheumatism * * *;" (circular) "* * * For Rheumatism * * *;" (carton) "* * * For Rheumatism * * * Muscular, Articular, Inflammatory * * * Sciatica, Rheumatic Neuritis, and Stiffness and Soreness of the Joints and Muscles * * * Lumbago and all Muscular and Nerve Pains of Rheumatic Origin."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of 8 per cent of potassium iodid, 1½