

**11145. Adulteration of chloroform. U. S. v. 100 Cans of Chloroform. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16649. S. No. C-3718.)**

On August 22, 1922, the United States attorney for the Southern District of Ohio, 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 100 cans of chloroform, remaining unsold in the original packages at Columbus, Ohio, consigned March 24, 1922, alleging that the article had been shipped from New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was turbid and that it contained chlorinated decomposition products.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia.

On November 27, 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. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11146. Adulteration and misbranding of tankage. U. S. v. 18 Sacks of Feeding Tankage. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16693. I. S. No. 4455-v. S. No. C-3743.)**

On August 2, 1922, the United States attorney for the Southern District of Ohio, 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 18 sacks of feeding tankage, consigned March 27, 1922, alleging that the article had been shipped from Syracuse, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Tag) "Motts Feeding Tankage Protein 18%, Fat 4%, Fibre under 11%, From A. G. Motts Company \* \* \* Household Garbage Constituted principal materials. Carefully picked over. Undesirable refuse removed."

Adulteration of the article was alleged in the libel for the reason that glass had been mixed and packed and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements "Fat 4%" and "Fibre under 11%" were false and misleading and deceived and misled purchasers.

On November 27, 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. W. PUGSLEY, *Acting Secretary of Agriculture.*

**11147. Adulteration and misbranding of butter. U. S. v. 19 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16775. I. S. No. 2516-v. S. No. E-4141.)**

On August 25, 1922, the United States attorney for the Eastern District of Pennsylvania, 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 19 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Quaker City Cooperative Creamery Co., Quaker City, Ohio, alleging that the article had been shipped from Quaker City, Ohio, on or about August 9, 1922, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that excessive water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted in whole or in part for butter. Adulteration was alleged for the further reason that a valuable constituent of the said article, to wit, butterfat, had been in whole or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On October 30, 1922, C. M. Drake & Co., Philadelphia, Pa., having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$840, in conformity with section 10 of the act, conditioned in part that it be reworked under the supervision of this department.

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

**11148. Adulteration and misbranding of potatoes. U. S. v. 1 Car of Potatoes. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 16812. I. S. No. 1705-v. S. No. E-4180.)

On September 16, 1922, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 1 car of potatoes at Springfield, Mass., alleging that the article had been shipped by Chamberlin & Barclay, from Hightstown, N. J., on or about September 6, 1922, and transported from the State of New Jersey into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "U. S. Grade No. 1. 150 Lbs. Net When Packed Frank Powell, Hightstown, N. J."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, potatoes of a lower grade than that designated, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted in part for U. S. Grade No. 1 potatoes, which the said article purported to be.

Misbranding was alleged for the reason that the package or label bore a statement, to wit, "U. S. Grade No. 1," regarding the article or the ingredients contained therein, which was false and misleading and deceived and misled the purchaser.

On October 25, 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. The destruction was accomplished by using the potatoes, which were very scabby, as hog feed.

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

**11149. Adulteration and misbranding of butter. U. S. v. 8 Boxes of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16914. I. S. No. 2082-v. S. No. E-4216.)

On November 10, 1922, the United States attorney for the Western District of Pennsylvania, 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 8 boxes of butter, remaining in the original unbroken packages at Erie, Pa., alleging that the article had been shipped by Hickman & Coward, Buffalo, N. Y., on October 30, 1922, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "1 Lb. Net Weight. This butter is made from pure cream \* \* \*"

Adulteration of the article was alleged in the libel for the reason that excessive moisture had been mixed and packed with and substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the statement "1 Lb. Net Weight" was false and misleading and deceived and misled the purchaser. 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 December 1, 1922, the Sanilac County Creamery Co., Brown City, Mich., claimant, having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that it be reworked under the supervision of this department.

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