

alterative at New York, N. Y., alleging that the article had been shipped by the Burrows-Little-White Co., Philadelphia, Pa., between the dates of December 28, 1921, and July 1, 1922, and transported from the State of Pennsylvania into the State of New York, 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 3.3 per cent of calcium chlorid, 2.3 per cent of plant extracts, and 94.4 per cent of water, flavored with clove oil.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements regarding its curative and therapeutic effects, appearing on the cartons and bottles containing the said article, "Eckman's Alterative For use in the following Throat and Lung Affections Bronchial Asthma, Catarrhal Bronchitis and Pulmonary Troubles, Stubborn Coughs and Colds," were false and fraudulent since the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On November 23, 1922, the cases having been consolidated into one action and the Burrows-Little-White Co., Philadelphia, Pa., claimant, having admitted the allegations of the libels and consented to the entry of a decree, 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 \$1,000, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision and to the satisfaction of this department.

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

11199. Misbranding of sweet potatoes. U. S. v. George R. Martin, Wade High, John Clarence Wish, William Henry Stephens, Fred P. Ford, Galin O. Pace, Sam P. Smith, and William G. Garlington (Cabot Truck Growers). Pleas of guilty. Fine, \$40. (F. & D. No. 16845. I. S. No. 13907-t.)

On December 15, 1922, the United States attorney for the Eastern 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 George R. Martin, Wade High, John Clarence Wish, William Henry Stephens, Fred P. Ford, Galin O. Pace, Sam P. Smith, and William G. Garlington, trading as Cabot Truck Growers, Cabot, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 15, 1922, from the State of Arkansas into the State of Colorado, of a quantity of sweet potatoes in crates 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 December 22, 1922, the defendants entered pleas of guilty to the information, and the court imposed fines in the aggregate amount of \$40.

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

11200. Adulteration and misbranding of meat scraps. U. S. v. Darling & Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 9441. I. S. Nos. 15135-p, 15137-p, 15158-p.)

On March 20, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Darling & Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, in various consignments, namely, on or about July 21, August 30, and December 20, 1917, respectively, from the State of Illinois into the State of Indiana, of quantities of meat scraps which were adulterated and misbranded. The article was labeled in part: "Darling's High Protein Meat Scraps for Poultry Guaranteed Analysis Protein Min. 55.0% * * * Meat Product Manufactured by Darling & Company, Union Stock Yards, Chicago, Ill."

Analyses, by the Bureau of Chemistry of this department, of samples of the article taken from each of the consignments showed the presence of 50.6, 48.9, and 52.6 per cent, respectively, of protein and 32.0, 30.6, and 28.2 per cent, respectively, of total ash.

Adulteration of the article was alleged in the information for the reason that extraneous materials high in ash had been mixed and packed therewith so as

to lower and reduce and injuriously affect its quality and strength and had been substituted in part for meat scraps which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "High Protein Meat Scraps," "Guaranteed Analysis Protein Min. 55.0%," and "Meat Product," borne on the sacks containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article consisted wholly of meat products and contained not less than 55 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of meat products and contained not less than 55 per cent of protein, whereas, in truth and in fact, it did not consist wholly of meat products, but did consist in part of extraneous materials high in ash, and each of the various consignments contained less than 55 per cent of protein, to wit, 50.6, 48.9, and 52.6 per cent of protein, respectively.

On January 10, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

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