

Gout * * * apoplexy;" (blue wrapper) "Egyptian Regulator Tea A Remedy For * * * Dyspepsia, Sick Headache, and all Disorders of the Stomach. Its daily use will Purify the Blood, Remove all Blotches from the Face, and Restore the Complexion. Ladies will find this a valuable remedy for all Female Complaints. Also for Liver and Kidney trouble. * * * An Excellent Remedy for * * * Dyspepsia, * * * Rheumatism, Nervousness, Liver Complaints, Sick Headache, Also Corpulency, Etc."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of compressed herbs, including senna, coriander, dog grass, licorice root, ginger, sambucus, cinnamon, and dandelion root.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the said circulars and wrappers, regarding the curative and therapeutic effects of the said article, were false and fraudulent and were made knowingly and in wanton disregard of their truth or falsity and with the intent to deceive purchasers thereof.

On May 19, 1923, no claimant having appeared for the property, and a jury having been impaneled and a verdict having been rendered for the Government, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11565. Adulteration and misbranding of tomato catsup. U. S. v. Harold N. Weller (H. N. Weller & Co.). Plea of guilty. Fine, \$50. (F. & D. No. 14752. I. S. Nos. 9710-r, 9951-r.)

On June 25, 1921, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harold N. Weller, trading as H. N. Weller & Co., Richmond, Mich., alleging shipment by said defendant, in violation of the Food and Drugs Act, in two consignments, namely, on or about October 13, 1919, and February 13, 1920, respectively, from the State of Michigan into the States of Missouri and Indiana, respectively, of quantities of tomato catsup which was adulterated and misbranded. A portion of the article was labeled in part: "Perfection Brand Tomato Catsup * * * Packed By H. N. Weller & Co. Toledo, O." The remainder of the said article was labeled in part: "Catsup Manufactured From Tomatoes, Onions, Spices, Granulated Sugar And Vinegar * * * H. N. Weller & Co., Richmond, Mich."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that a portion of the product contained coal-tar dye and the remainder thereof contained coal-tar dye and glucose.

Adulteration was alleged in the information with respect to a portion of the article for the reason that a substance, to wit, a coal-tar dye, had been substituted in part for tomato catsup which the said article purported to be. Adulteration was alleged with respect to the remainder of the article for the reason that substances, to wit, glucose and coal-tar dye, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and had been substituted in part for catsup which the article purported to be. Adulteration was alleged with respect to all of the said product for the reason that it was an article inferior to tomato catsup, or catsup, as the case might be, and a portion of the said article contained glucose, and all of the said article was artificially colored with a certain coal-tar dye, to wit, Ponceau 3R, so as to simulate the appearance of catsup and in a manner whereby its inferiority to catsup was concealed.

Misbranding was alleged for the reason that the statement, to wit, "Not Artificially Colored," borne on the labels attached to the jars containing a portion of the article, and the statement, to wit, "Catsup," borne on the labels attached to the bottles containing the remainder, regarding the article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the former was not artificially colored and that the latter was composed wholly of catsup, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the former was not artificially colored and that the latter was composed wholly of catsup, whereas, in truth and in fact, the former was artificially colored and the latter was not composed wholly

of catsup, but was composed in part of glucose and coal-tar dye, not normal ingredients of catsup.

On June 14, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11566. Adulteration of tomato catsup. U. S. v. 22 Cases and 4½ Cases of Tomato Catsup. Consent decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14891, 14892. I. S. Nos. 7547-t, 7549-t. S. No. E-3328.)

On May 5 and 27, 1921, respectively, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 26½ cases of tomato catsup, remaining in the original unbroken packages at Newark, N. J., alleging that the article had been shipped by the Paul DeLaney Co., Inc., Brocton, N. Y., in part November 12, 1920, and in part March 2, 1921, and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "American Maid Brand Tomato Catsup * * * Guaranteed by The Paul DeLaney Co. Inc. Brocton, N. Y."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On June 25, 1923, the claim and answer previously entered by the Paul DeLaney Co., Inc., claimant, having been withdrawn, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11567. Adulteration and misbranding of barley feed. U. S. v. Menomonie Milling Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 14994. I. S. No. 11933-t.)

On July 26, 1922, the United States attorney for the Western District of Wisconsin, 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 Menomonie Milling Co., a corporation, Menomonie, Wis., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 31, 1920, from the State of Wisconsin into the State of Michigan, of a quantity of barley feed which was adulterated and misbranded. The article was labeled in part: (Tag) "100 lbs. Net Barley Feed Manufactured By Menomonie Milling Co. Menomonie, Wisconsin."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it was barley feed containing screenings.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, screenings, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and had been substituted in part for barley feed which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Barley Feed," borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article consisted wholly of barley feed, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of barley feed, whereas, in truth and in fact, it did not consist wholly of barley feed but did consist in part of screenings.

On November 9, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11568. Adulteration and misbranding of table oil. U. S. v. 12 Cans of Table Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 15344. I. S. No. 15419-t. S. No. E-3516.)

On July 29, 1921, the United States attorney for the Middle 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 praying the seizure and condemnation of 12 cans of table oil, remaining in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by the