

of the United States for said district libels praying the seizure and condemnation of 400 cans of chloroform, remaining in the original unbroken packages, in part at Gary and in part at Hammond, Ind., alleging that the article had been shipped from New York, N. Y., in two consignments, namely, on or about April 27 and May 23, 1922, respectively, and transported from the State of New York into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Carton) "¼ Pound Chloroform, Squibb For Anæsthesia;" (cans) "¼ lb. Net Chloroform Squibb For Anæsthesia \* \* \* E. R. Squibb & Sons, New York \* \* \* It is superior to that of the U. S. P. and the best that can be made for anæsthesia."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was turbid and that it contained chlorinated decomposition products.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements were false and misleading in that the article did not comply with the pharmacopœial standards, and for the further reason that the said statements were misleading statements relative to the purity of the said article.

On October 21, 1922, no claimant having appeared for the property, judgments of condemnation were 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.*

**11744. Misbranding of H. and H. natural water and H. and H. concentrated water. U. S. v. 18 Bottles and 37 Bottles of Dawson Springs Renowned H. and H. Water. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 16785. I. S. Nos. 4502-v, 4503-v. S. No. C-3790.)

On August 31, 1922, the United States attorney for the District of Indiana, 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 18 bottles of Dawson Springs Renowned H. and H. water (natural) and 37 bottles of Dawson Springs Renowned H. and H. water (concentrated), remaining in the original unbroken packages at Evansville, Ind., alleging that the article had been shipped by the H. & H. Water Co., Dawson Springs, Ky., in part June 8 and in part July 6, 1922, and transported from the State of Kentucky into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: "Dawson Springs \* \* \* H. and H. Water \* \* \* Contents One Gallon \* \* \* H. & H. Water Co. Dawson Springs, Kentucky." The remainder of the said article was labeled in part: "Dawson Springs Renowned H. and H. Water \* \* \* Concentrated."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the natural water contained 4 grams and the concentrated water 226 grams per liter of dissolved mineral matter, most of which was Epsom salt.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the labels of the natural water, regarding the curative and therapeutic effects thereof, to wit, "Indigestion, Stomach, Liver and Kidney Troubles, Malaria, Female Troubles," and the following statements appearing on the labels of the concentrated water, regarding the curative and therapeutic effects thereof, to wit, "Indigestion, Stomach Liver and Kidney Troubles, Bright's Disease, Diabetes, Jaundice, Malaria," were false and fraudulent, since the said product contained no ingredient or combination of ingredients capable of producing the effects claimed, namely, that it was not effective to cure or aid in curing the said ailments.

On October 21, 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.

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

**11745. Adulteration of shell eggs. U. S. v. William R. Davis. Plea of guilty. Fine, \$10.** (F. & D. No. 17076. I. S. No. 1001-v.)

On March 10, 1923, 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 an information against

William R. Davis, Haynesville, Va., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 26, 1922, from the State of Virginia into the State of Maryland, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 360 eggs from the consignment showed that 32, or 8.88 per cent of those examined, were inedible eggs, 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 whole or in part of a filthy, decomposed, and putrid animal substance.

On April 2, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

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

**11746. Adulteration and misbranding of olive oil and misbranding of cottonseed oil. U. S. v. Christ Makris (Messina Importing Co.). Plea of guilty. Fine, \$170.** (F. & D. No. 17246. I. S. Nos. 17021-t, 17022-t, 17030-t, 17031-t, 17034-t, 18425-t.)

On May 28, 1923, the United States attorney for the Southern 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 Christ Makris, trading as the Messina Importing Co., New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about February 9, March 7, 9, and 17, 1922, respectively, from the State of New York into the District of Columbia, and on or about June 13, 1922, from the State of New York into the State of Missouri, of quantities of olive oil which was adulterated and misbranded, and on or about February 9, 1922, from the State of New York into the District of Columbia, of a quantity of cottonseed salad oil which was misbranded. The consignments of February 9, March 9, and March 17 were made by the defendant under the name of D. Lamp. The consignment of March 7 was contained in unlabeled cans and was invoiced as olive oil. The remaining consignments were labeled variously: "Prodotti Italiani Olio d'Oliva Pure Olive Oil Sopraffino \* \* \* Italia Brand Trade Mark Lucca Toscana Italia Net Contents 1 Gall.;" "Olio Puro D'Oliva Garantito Messina Brand \* \* \* Extra Fine Quality Packed and Imported By Messina Imp. Co. New York, N. Y. This Can Contains One Gallon;" "Net Contents 1 Gall. Extra Fine Quality Oil For Salads \* \* \* Regina Brand Winterpressed Cottonseed Salad Oil Flavored With Pure Olive Oil. A Compound."

Analyses of samples of the Italia brand oil by the Bureau of Chemistry of this department showed that it consisted almost wholly of cottonseed oil or of a mixture of cottonseed oil and corn oil, with a small quantity of olive oil present; the cans examined contained less than 1 gallon of the article. Analysis of a sample of the cottonseed salad oil by said bureau showed that it was cottonseed oil with a small quantity of olive oil; the cans examined contained less than 1 gallon of the article. Analysis by said bureau of the product involved in the consignment of March 7 in the unlabeled cans showed that it was olive oil mixed with about 8 per cent of cottonseed oil. Analysis of a sample of the Messina brand oil by said bureau showed the presence of cottonseed oil; the cans examined contained less than 1 gallon of the article.

Adulteration of the Italia brand oil was alleged in the information for the reason that oil other than olive oil had been substituted in whole or in part for olive oil, which the article purported to be.

Adulteration of the product invoiced as olive oil and the Messina brand oil was alleged for the reason that a substance, to wit, cottonseed oil, 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 olive oil, which the article purported to be.

Misbranding of the Italia brand oil and of the Messina brand oil was alleged for the reason that the statements, to wit, "Prodotti Italiani," "Olio d'Oliva Pure Olive Oil Sopraffino," "Italia," "Lucca," "Toscana Italia," "Net Contents 1 Gall.," together with the designs and devices of a woman draped in Italian colors, the map of Italy, and Italian shield, borne on the cans containing the Italia brand, and the statements, to wit, "Olio Puro D'Oliva," "This Oil Is Absolutely Pure Extracted From Olives," "It Is Guaranteed Under Any Analysis In Strict Accordance With Laws Governing Imported