

and the ingredients and substances contained therein, was false and misleading, in that the said statement represented that the article consisted wholly of sauerkraut, 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 sauerkraut, whereas, in truth and in fact, it did not consist wholly of sauerkraut but did consist in part of excessive brine.

On September 28, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

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

11887. Adulteration of oranges. U. S. v. 372 Boxes of Oranges. Product ordered sold. Default decree entered forfeiting proceeds. (F. & D. No. 17544. I. S. No. 1145-v. S. No. E-4403.)

On May 22, 1923, 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 against 372 boxes of oranges, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by W. E. Lee & Co., Inc., from Lake Garfield, Fla., on or about May 1, 1923, and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Box) "Good Nature Oranges * * * W. E. Lee * * * Plant City, Fla. Valencia Golden Contents 1½ Bushel."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, inedible, tree-dried oranges, had been substituted in whole or in part for oranges, which the product purported to be.

On June 1, 1923, the product was sold by the United States marshal as perishable property, and on September 6, 1923, no claimant having appeared, a decree of the court was entered forfeiting the proceeds of the sale to the Government.

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

11888. Adulteration of shell eggs. U. S. v. Farmers Union Cooperative Assoc., a Corporation. Plea of guilty. Fine, \$5. (F. & D. No. 17600. I. S. No. 3852-v.)

On August 24, 1923, the United States attorney for the District of Nebraska, 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 Farmers Union Cooperative Assoc., a corporation, Carroll, Nebr., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 6, 1922, from the State of Nebraska into the State of Iowa, of a quantity of shell eggs which were adulterated. The article was labeled in part: "Farmers Union Co-Op. Assn. Carroll, Nebr."

Examination by the Bureau of Chemistry of this department of 900 eggs from the consignment showed that 112, or 12.44 per cent of those examined, were inedible eggs, consisting of black rots, spot rots, mixed rots, moldy eggs, and blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy and decomposed and putrid animal substance.

On September 25, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$5.

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

11889. Adulteration of grapefruit. U. S. v. 1 Carload of Grapefruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17840. I. S. No. 785-v. S. No. E-4500.)

On October 1, 1923, 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 praying the seizure and condemnation of 1 carload of grapefruit at Philadelphia, Pa., consigned by F. C. Armstrong, Palmetto, Fla., alleging that the article had been shipped from Palmetto, Fla., on or about September 27, 1923, and transported from the State of Florida into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "I. E. Springstead & Son Palmetto, Fla. Lion Brand Contents 1 3/5 Bushel."

Adulteration of the article was alleged in the libel for the reason that immature grapefruit, artificially colored, had been mixed and packed with and

substituted for the said article. Adulteration was alleged for the further reason that the article was colored in a manner whereby damage or inferiority was concealed.

On October 20, 1923, 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.*

11890. Adulteration and misbranding of Wood's concentrated sweetener. U. S. v. 5 1-Pound Cans, et al., of Wood's Concentrated Sweetener. Decrees entered ordering destruction of the product. (F. & D. Nos. 13032, 13033. I. S. Nos. 251-t, 3629-t. S. Nos. C-2035, C-2037.)

On July 14, 1920, the United States attorney for the Southern District of Mississippi, 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 15 cans of concentrated sweetener, remaining in the original unbroken packages in part at Greenville and in part at Yazoo City, Miss., alleging that the article had been shipped by the W. B. Wood Mfg. Co., from St. Louis Mo., on or about July 3, 1920, and transported from the State of Missouri into the State of Mississippi, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Wood's Special Concentrated Sweetener 500-500 Soluble in Cold Water Not Sold As A Drug * * * 1 Lb. Net W. B. Wood Mfg. Co. St. Louis, Mo."

Adulteration of the article was alleged in the libels for the reason that saccharin had been mixed and packed with and substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article contained an added poisonous and deleterious ingredient, to wit, saccharin, which rendered it injurious to health.

Misbranding was alleged for the reason that the statement, "Special Concentrated Sweetener 500," was false and misleading and deceived and misled the purchaser, in that the article was represented as being 500 times sweeter than sugar, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinct name of another article.

On November 8, 1922, the owner of 5 cans of the product having consented to the entry of a decree, judgment of the court was entered finding the said 5 cans of the article to be misbranded and ordering its destruction by the United States marshal. On January 4, 1923, no claimant having appeared for the remaining 10 cans of the product, a decree of the court was entered finding the said cans of the product to be adulterated and misbranded and ordering its destruction by the United States marshal.

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

11891. Misbranding of Dr. Locock's cough elixir. U. S. v. 4 Bottles of Dr. Locock's Cough Elixir. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15617. S. No. C-3318.)

On November 25, 1921, the United States attorney for the Southern District of Mississippi, 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 4 bottles of Dr. Locock's cough elixir at Biloxi, Miss., alleging that the article had been shipped by I. L. Lyons & Co., New Orleans, La., on or about September 11, 1919, and transported from the State of Louisiana into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle, English) "Whooping Cough, Pains in the Breast with difficulty of Breathing, Asthma, Croup, Hoarseness, Inflammation [Inflammation] of the Lungs * * * and Catarrhal Affections. * * * hastens the cure," (French, Spanish, and German) "For Whooping Cough * * * hastens the cure;" (carton, English) "For * * * Whooping Cough, Pains in the Breast with difficulty of Breathing, Asthma, Croup, Hoarseness, Inflammation of the Lungs * * * and Catarrhal Affections. This celebrated preparation is singularly efficacious as a reliable [remedial] agent for all affections of the Chest, Lungs, and Air passages. For the cure of Coughs, Colds, Sore Throat, Hoarseness and Oppression of the Chest, Cold in the Head, Dryness of the Throat, etc., it is unsurpassed," (German) "For * * * Whooping Cough, Pains in the Breast with difficulty of Breathing, Asthma, Blood-spitting, Quinsy, Hoarseness, Inflamma-