

and transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the food and drugs act.

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

On December 23, 1923, the Ewen Creamery Co., Ewen, Mich., claimant, having admitted the material allegations of the libel 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 reprocessed under the supervision of this department so that it would contain not less than 80 per cent of butterfat and not more than 16 per cent of water.

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

12237. Adulteration and misbranding of saccharine meal. U. S. v. 400 Sacks of Saccharine Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16983. I. S. No. 3180-v. S. No. E-3247.)

On or about November 22, 1922, the United States attorney for the Southern District of Florida, 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 400 sacks of saccharine meal consigned by the Milam-Morgan Co., New Orleans, La., alleging that the article had been shipped from New Orleans, La., on or about September 30, 1922, and transported from the State of Louisiana into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "100 Lbs. Net When Packed Steam Dried Saccharine Meal Manufactured by Milam-Morgan Co., Ltd. New Orleans, La. * * * Guaranteed Analysis Fat 1.00% Protein 7.00% Carbohydrates 50.00% Fiber 17.00%."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in fat and protein had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements in the labeling, "Fat 1.00%" and "Protein 7.00%," were false and misleading and deceived and misled the purchaser, since the said article was deficient in fat and protein.

On December 12, 1922, the Milam-Morgan Co., New Orleans, La., claimant, having admitted the allegations of the libel as to the misbranding of the product, but claiming that such was unintentional, judgment of condemnation was entered, and it was ordered by the court that the product be released to the 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 relabeled so as to accurately and correctly describe the said article.

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

12238. Misbranding of flour. U. S. v. 48 Sacks of Flour. Decree ordering release of product under bond to be reconditioned or relabeled. (F. & D. No. 17684. I. S. No. 11818-v. S. No. W-1403.)

On August 16, 1923, the United States attorney for the district of Nevada, 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 48 sacks of flour at Reno, Nev., alleging that the article had been shipped by the Globe Grain & Milling Co. from Ogden, Utah, on or about July 2, 1923, and transported from the State of Utah into the State of Nevada, and charging misbranding in violation of the food and drugs act, as amended. The article was labeled in part: (Sack) "Globe Mills * * * Flour Fancy Patent Globe 'A 1' Quality First Ogden-Utah * * * Bleached * * * Net Weight 12 Lbs."

Misbranding of the article was alleged in substance in the libel for the reason that the statement appearing in the labeling, "Net Weight 12 Lbs.," 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 February 23, 1924, the Globe Grain & Milling Co., Ogden, Utah, having appeared as claimant for the property, and the court having found that the Government had established the material allegations of the libel, judgment was entered ordering that the product be released to the said claimant upon the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that it be reconditioned or relabeled in compliance with the law and that the claimant pay the costs of the proceedings.

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

12239. Adulteration of tomato paste. U. S. v. 12 Cases of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18169. I. S. No. 4987-v. S. No. C-4221.)

On December 14, 1923, 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 praying the seizure and condemnation of 12 cases of tomato paste, at Cincinnati, Ohio, consigned by John S. Mitchell, Inc., Sharpsville, Ind., October 24, 1923, alleging that the article had been shipped from Sharpsville, Ind., and transported from the State of Indiana into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Concentrated Tomato Concentrato Di Pomodoro * * * Liberty Bell Brand."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed vegetable substance.

On February 25, 1924, 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.*

12240. Adulteration of chestnuts. U. S. v. 20 Sacks of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18124. I. S. No. 4738-v. S. No. C-4211.)

On November 27, 1923, 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 praying the seizure and condemnation of 20 sacks of chestnuts, at Cincinnati, Ohio, consigned by Fish & Reinhart, Clyde, N. C., on or about October 19, 1923, alleging that the article had been shipped from Clyde, N. C., and transported from the State of North Carolina into the State of Ohio, and charging adulteration in violation of the food and drugs act.

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

On January 23, 1924, 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.*

12241. Misbranding of Lafayette pain anodyne. U. S. v. 9 Dozen Bottles of Lafayette Pain Anodyne [Anodyne]. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18202. S. No. E-4665.)

On December 26, 1923, the United States attorney for the District of Connecticut, 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 9 dozen bottles of Lafayette pain anodyne [anodyne], remaining in the original unbroken packages at Norwich, Conn., alleging that the article had been shipped by the Lafayette Co., Berlin, N. H., on or about July 20, 1923, and transported from the State of New Hampshire into the State of Connecticut, 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 the product consisted essentially of volatile oils, such as spearmint and cassia oils, camphor, capsicum, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the labels upon the bottles containing the said article bore the following statements: "Pain Anodyne * * * Kills Your Pain Internally and Externally For the relief of Rheumatism, Sore Throat, Coughs, Chills * * * Diarrhoea, Colic, Cholera Morbus, Painful Menstruation, Stiff Joints * * * Neuralgia * * * Burns, Backache * * *. Will relieve pain