

Oil," borne on the cans, containing the remainder thereof, were false and misleading in that the said statements represented that the article was cotton salad oil flavored or blended with olive oil, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was cotton salad oil flavored or blended with olive oil, whereas, in truth and in fact, it was not, but a portion of the article was a product composed in whole or in part of cottonseed oil and which contained no olive oil, and the remainder was a product which contained no flavor of olive oil. 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 May 14, 1923, the defendant, Achille Joannidi, entered a plea of guilty to the information, and the court imposed a fine of \$25.

HOWARD M. GORE, *Secretary of Agriculture.*

12658. Misbranding of Grandma's Compound Sarsaparilla. U. S. v. 2½ Dozen Bottles, et al., of Grandma's Compound Sarsaparilla. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 17120, 17186. I. S. Nos. 7917-v, 7919-v. S. Nos. W-1271, W-1286.)

On January 11 and 18, 1923, respectively, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 8½ dozen bottles of Grandma's Compound Sarsaparilla, consigned by the Park Laboratory Co., San Antonio, Texas, alleging that the article had been shipped from San Antonio, Texas, in various consignments, namely, on or about September 1, September 9, and November 17, 1922, respectively, and transported from the State of Texas into the State of California, 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 potassium iodide (0.3 per cent), alcohol (2.6 per cent), extracts of plant drugs including a laxative drug, sugar, and water, flavored with sassafras oil.

Misbranding of the articles was alleged in the libels for the reason that the package failed to bear any statement of the quantity or proportion of alcohol contained therein. Misbranding was alleged for the further reason that the statement, "Alcohol 10 per cent," appearing on a portion of the bottle labels and a portion of the cartons containing the bottles, the statement, in English or Spanish, "A specific For All Diseases Of The Blood," appearing on the bottle labels, and the statements in English and Spanish, "For The Removal And Permanent relief Of All Diseases Of The Blood, Such As Scrofula Or King's Evil, Syphilitic Or Mercurial Affections, Rheumatism, Obstinate Skin Eruptions, Erysipelas, Old Sores, Pimples, Blotches, Boils, Ringworm, Indolent Ulcers, Pains In The Bones, Salt Rheum, Female Weakness, General Debility and All Constitutional Diseases. * * * For Purifying And Vitalizing The Blood, Strengthening The System And Imparting New Life And Vigor To The Body," borne on the said cartons, regarding the curative and therapeutic effect of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed, or any of them.

On February 6, 1924, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Secretary of Agriculture.*

12659. Adulteration and misbranding of vinegar. U. S. v. 17 Cases, et al., of Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17021. I. S. Nos. 5133-v, 5134-v, 5135-v. S. No. C-3842.)

On or about December 19, 1922, the United States attorney for the District of Kansas, 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 17 cases containing gallon bottles, 20 cases containing quart bottles, and 24 cases containing pint bottles, of vinegar, at Chanute, Kans., alleging that the article had been shipped by the Springdale Vinegar Co., from Springdale, Ark., on or about August 22, 1922, and transported from the State of Arkansas into the State of Kansas, and charging adulteration and

misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "Million Smiles Brand Pure Apple Cider Vinegar One Gallon" (or "One Quart," or "One Pint,") "Springdale Vinegar Co., Springdale, Ark."

Adulteration of the article was alleged in the libel for the reason that vinegar made from boiled cider or similar material had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement appearing on the said bottles, "Pure Apple Cider Vinegar," was false and misleading and was calculated to deceive the purchaser in that the article was not pure cider vinegar but was an adulterated article in imitation of pure cider vinegar.

On February 5, 1923, the Springdale Vinegar Co., Springdale, Ark., claimant, having 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 \$500, in conformity with section 10 of the act, conditioned in part that it be relabeled, "Made From Boiled Cider."

HOWARD M. GORE, *Secretary of Agriculture.*

12660. Misbranding of horse and mule feed. U. S. v. 60 Sacks of Horse and Mule Feed. Decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 18777. I. S. No. 12631-v. S. No. E-4860.)

On June 9, 1924, the United States attorney for the District of Maryland, 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 60 sacks of horse and mule feed, consigned on or about April 8, 1924, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Chas. A. Krause Milling Co., from Milwaukee, Wis., and transported from the State of Wisconsin into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "K-O Horse and Mule Feed Protein 10% Fat 2% Fibre 10% * * * Mfd. by Chas. A. Krause Milling Co. Milwaukee, Wisconsin."

Misbranding of the article was alleged in the libel for the reason that the statement, to wit, "Horse and Mule Feed Protein 10% Fat 2% Fibre 10%," was false and misleading and deceived and misled the purchaser.

On June 14, 1924, the Chas. A. Krause Milling Co., Milwaukee, Wis., having appeared as claimant for the property, 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 \$200, in conformity with section 10 of the act, conditioned in part that it be relabeled.

HOWARD M. GORE, *Secretary of Agriculture.*

12661. Adulteration of butter. U. S. v. 40 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 18826. I. S. No. 17960-v. S. No. C-4428.)

On June 25, 1924, 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 a libel praying the seizure and condemnation of 40 tubs of butter, at Chicago, Ill., alleging that the article had been shipped by the Casey Creamery Co., from Casey, Iowa, June 19, 1924, and transported from the State of Iowa 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 excessive water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, and for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted therefrom.

On July 9, 1924, J. H. Hoar & Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having 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