

On November 6, 1924, the National Vinegar Co. having appeared as claimant for the property 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 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 relabeled to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

12853. Adulteration and misbranding of prepared mustard. U. S. v. 300 Cases of Prepared Mustard. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18834. I. S. No. 20216-v. S. No. W-1523.)

On July 14, 1924, the United States attorney for the District of Oregon, 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 300 cases of prepared mustard, at Portland, Oreg., alleging that the article had been shipped by the Morehouse Mustard Mills, from Oakland, Calif., on or about June 1, 1924, and transported from the State of California into the State of Oregon, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Jar) "Prepared Old English Style Morehouse Mustard, Mustard Seed, Vinegar, Spices, Salt, and Turmeric. Morehouse * * * Mills, Los Angeles, Oakland"; (case) "Old English Morehouse Best Prepared Mustard."

Adulteration of the article was alleged in the libel for the reason that added mustard bran had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, in that the designation above quoted, appearing on the cases and jars, was false and misleading and deceived and misled the purchaser when applied to a product containing added mustard bran.

On August 25, 1924, L. H. Morehouse and B. Morehouse, copartners, trading as the Morehouse Mustard Mills of the State of California, having appeared as claimants for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimants 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.

W. M. JARDINE, *Secretary of Agriculture.*

12854. Adulteration of canned salmon. U. S. v. 1,000 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12990. I. S. No. 16139-r. S. No. E-2404.)

On September 12, 1922, the United States attorney for the Southern District of Georgia, 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 1,000 cases of salmon, remaining in the original packages at Augusta, Ga., alleging that the article had been shipped by the Columbia Salmon Co., from Seattle, Wash., on or about November 9, 1918, and transported from the State of Washington into the State of Georgia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Target Brand Alaska Pink Salmon * * * Packed In Alaska By Columbia Salmon Co. Seattle, Wash."

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

On February 19, 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.

W. M. JARDINE, *Secretary of Agriculture.*

12855. Misbranding of D. O. D. U. S. v. 66 Packages of a Drug Product Labeled "D. O. D." Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17839. I. S. No. 4161-v. S. No. C-4125.)

On September 28, 1923, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on May

27, 1924, an amended libel, praying the seizure and condemnation of 66 packages of a drug product labeled "D. O. D.," remaining in the original unbroken packages at Milwaukee, Wis., alleging that on September 17, 1923, the C. Nelson Smith Co., of Milwaukee, Wis., delivered the said article for shipment in interstate commerce from the State of Wisconsin into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Label and carton) "Guaranteed when used according to directions to relieve any disease caused by poison or Bacteria or money refunded;" (label) "D O D * * * invaluable in treating a great many different kinds of diseases. It Kills All Poison in the human system;" (carton) "Kills All Poison In The Human System * * * Gangrene * * * Eczema * * * Rashes and other Skin Diseases; * * * Dyspepsia Dysentery Cholera Morbus Indigestion Colic Pyorrhea * * * Colds Sore Throat Bronchitis Catarrh Hay Fever Grippe Influenza, etc;" (circular) "A remedy has been discovered that will kill poison and bacteria in the human system, wherever it can be reached, regardless of the disease—and that remedy is D O D * * * provides permanent relief to sufferers from every disease that is caused by poison * * * most all diseases are caused by poison in the human system * * * taken internally will kill the poison in the stomach and bowels which is responsible for * * * Dyspepsia, Dysentery, Colic, Cholera Morbus, Ulcers, Ptomaine Poison and many other kindred ailments * * * Gangrene, * * * Eczema, Piles * * * Rashes * * * and other skin diseases * * * D O D when brought to steam or vapor and inhaled will kill the bacteria and poison in the nasal ducts, throat, bronchial tubes, and lungs, thereby giving almost immediate relief from Colds, Sore Throat, Bronchitis, Catarrh, Hay Fever, Grippe, Headache and Influenza. By killing the poison which causes these diseases, nature will quickly restore the affected parts to normal strength. * * * Diabetes * * * D O D * * * twice daily * * * Continue this treatment for at least 20 days and then note improvement. * * * Shingles * * * Barbers Itch * * * Dandruff * * * Asthma * * * continue until recovery is complete * * * heal all kinds of skin diseases * * * when sprayed in fine mist it kills all germs in the air * * * use a solution of ½ teaspoonful of D O D with one gallon of water. Diabetic gangrene * * * stomach troubles."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted essentially of 94 per cent of sodium bicarbonate and 6 per cent of potassium permanganate.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements appearing in the labeling were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 28, 1924, C. Nelson Smith 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 \$500, in conformity with section 10 of the act.

W. M. JARDINE, *Secretary of Agriculture.*

12856. Misbranding of Mazola. U. S. v. 25 Cases and 5½ Cases of Mazola. Decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 18227, 18228. I. S. Nos. 17637-v, 17639-v. S. No. C-4249.)

On January 12, 1924, the United States attorney for the Eastern District of Wisconsin, 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 30½ cases of Mazola, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Corn Products Refining Co., Argo, Ill., on or about December 1, 1923, and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "37½ Lbs. Net Mazola * * * Corn Products Refining Co. Gen'l. Offices, New York, U. S. A."

Misbranding of the article was alleged in the libel for the reason that it was [food] in package form and failed to bear a plain and conspicuous statement of the quantity of the contents.

On February 15, 1924, the Corn Products Refining Co., Argo, Ill., having entered an appearance as claimant for the property and having admitted the