

**13452. Adulteration of oranges. U. S. v. 462 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19560. I. S. No. 23826-v. S. No. C-4635.)**

On or about February 5, 1925, the United States attorney for the Western District of Texas, 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 462 boxes of oranges, at El Paso, Tex., consigned by the Border Produce Co., Colton, Calif., alleging that the article had been shipped from Colton, Calif., on or about January 23, 1925, and transported from the State of California into the State of Texas, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that an inedible product had been substituted wholly or in part for the said article.

On April 7, 1925, 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.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13453. Misbranding of horse and mule feed. U. S. v. Mississippi Elevator Co. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 17785. I. S. No. 10285-v.)**

On October 31, 1923, the United States attorney for the Western District of Tennessee, 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 Mississippi Elevator Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the food and drugs act, on or about March 7, 1923, from the State of Tennessee into the State of Georgia, of a quantity of horse and mule feed which was misbranded. The article was labeled in part: (Tag) "Horse & Mule Feed (Sweet) Manufactured By Mississippi Elevator Company Memphis, Tenn. Guaranteed Analysis Protein Minimum 9.00% Fat Minimum 2.00% \* \* \* Fibre Maximum 15.00%."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 6.24 per cent of protein, 1.39 per cent of fat, and 17.67 per cent of fiber.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Guaranteed Analysis Protein Minimum 9.00% Fat Minimum 2.00% \* \* \* Fibre Maximum 15.00%," borne on the tags attached to the sacks containing the article, were false and misleading, in that the said statements represented that the article contained not less than 9 per cent of protein, not less than 2 per cent of fat, and not more than 15 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 9 per cent of protein, not less than 2 per cent of fat, and not more than 15 per cent of fiber, whereas it contained less protein, less fat, and more fiber than declared.

On November 26, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13454. Misbranding of Hill's kaskara tablets. U. S. v. W. H. Hill Co. Plea of guilty. Fine, \$50. (F. & D. No. 9910. I. S. No. 9801-p.)**

On September 18, 1919, the United States attorney for the Eastern District of Michigan, 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 W. H. Hill Co., a corporation, Detroit, Mich., alleging shipment by said company, in violation of the food and drugs act as amended, on or about May 23, 1918, from the State of Michigan into the State of Illinois, of a quantity of Hill's kaskara tablets which were misbranded. The article was labeled in part: "Mf'd Only By W. H. Hill Co., Detroit, Mich."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an iron, chalk, and sugar-coated tablet containing emodin, aromatics, juniper resins, and caffeine.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, borne on the package containing the said article and in the accompanying circular, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for backache, renal calculi, diabetes, Bright's disease, urinary and bladder troubles, liver and kidney troubles, kidney diseases and consumption of the kidneys, and effective for

restoring the kidneys and liver to a healthy condition and effective to stimulate the kidneys to healthy action, so they would separate the urine and other morbid products from the blood and thereby prevent the formation of uric acid and other calculus products, as effective as a treatment, remedy, and cure for acute inflammation of the kidneys, dropsical swelling, rheumatism, and neuralgia, as effective to strengthen the kidneys, subdue inflammation, and restore their blood cleansing and diuretic or urine gathering functions, as effective to put a stop to disintegration of the kidneys and prevent the escape of albumen or sugar into the urine, to cause the violence of all disease symptoms to subside rapidly, to correct disorders of the urine, to diminish dropsical conditions, and gradually to eliminate the poisonous uric acid in the blood, as effective to cause the whole system to be cleansed, stimulated, and strengthened, to cause the kidneys, liver, and stomach to work harmoniously in stimulating morbid products and retoning diseased organs, as effective to neutralize the uric, lactic, and lithic acids in the blood, eliminating through the kidneys, bowels, and skin all morbid and unhealthy accumulations from the system, and effective as a solvent for calculus or stone in the kidney or bladder, and to prevent the formation of an excess of uric acid, calculus, stone or gravel, and effective as a relief and cure for all disorders arising from a weak or diseased condition of the kidneys and liver, when, in truth and in fact, it contained no ingredients or medicinal agents effective for the purposes claimed.

On November 25, 1924, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13455. Misbranding of butter. U. S. v. 15 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 20026. I. S. No. 20437-v. S. No. W-1691.)

On or about April 1, 1925, the United States attorney for the Northern District of California, 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 15 cases of butter, remaining in the original unbroken packages at San Francisco, Calif., delivered for shipment by Armour & Co., San Francisco, Calif., alleging that the article was being shipped in interstate commerce from San Francisco, Calif., into the Territory of Hawaii, on April 1, 1925, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Fancy Wood-awn Brand Creamery Butter Quarters \* \* \* Net Weight One Pound \* \* \* Armour And Company San Francisco Distributors."

It was alleged in substance in the libel that the article was misbranded in violation of section 8, general paragraph, and paragraphs second and third under food of the said act, in that it was labeled "Net Weight One Pound," and the said cartons contained a smaller quantity than 1 pound.

On April 25, 1925, Armour & 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 \$432, in conformity with section 10 of the act, conditioned in part that it be brought into compliance with the law under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**3456. Misbranding of peanut meal. U. S. v. Dothan Oil Mill Co. Plea of guilty. Fine, \$10.** (F. & D. No. 18470. I. S. No. 3328-v.)

On May 29, 1924, the United States attorney for the Middle District of Alabama, 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 Dothan Oil Mill Co., a corporation, Dothan, Ala., alleging shipment by said company, in violation of the food and drugs act, on or about January 30, 1923, from the State of Alabama into the State of Florida, of a quantity of peanut meal which was misbranded. The article was labeled in part "First Grade Peanut Meal Manufactured By Dothan Oil Mill Company Dothan, Alabama. Guaranteed Analysis Protein 45.00 p. c."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the said sample contained 41.46 per cent of protein.

Misbranding of the article was alleged in the information for the reason that he statement, to wit, "Guaranteed Analysis Protein 45.00 p. c.," borne on the