

On September 29, 1925, the defendant entered a plea of guilty to the information, and on October 29, 1925, the court imposed a fine of \$100.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13983. Adulteration of canned salmon. U. S. v. 496 Cases, et al., of Salmon. Decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 19113, 19114, 19115, 19116. I. S. No. 19802-v. S. No. C-4526.)

On November 3, 1924, 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 libels praying the seizure and condemnation of 716 cases of canned salmon, in part at Cincinnati, Ohio, and in part at Hamilton, Ohio, consigned by the Ward's Cove Packing Co., Ketchikan, Alaska, alleging that the article had been shipped from Prince Rupert, B. C., Dominion of Canada, and that it had been transported in interstate commerce into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Ward's Cove Brand Choice Alaska Salmon Pink \* \* \* Packed by Ward's Cove Packing Co. Ketchikan, Alaska."

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

On September 3 and October 14, 1925, respectively, the Ward's Cove Packing Co. having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation and forfeiture were 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 good and sufficient bonds, in conformity with section 10 of the act, conditioned in part that it be salvaged and the bad portion destroyed or otherwise disposed of under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13984. Misbranding of Brunswig's compound fluidextract buchu. U. S. v. 3 Dozen Bottles of Brunswig's Compound Fluidextract Buchu. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 17115. I. S. No. 7974-v. S. No. W-1270.)

On January 8, 1923, the United States attorney for the District of Arizona, 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 3 dozen bottles of Brunswig's compound fluidextract buchu, at Phoenix, Ariz., alleging that the article had been shipped by the Brunswig Drug Co., Los Angeles, Calif., in part on or about August 24, 1920, and in part on or about November 15, 1921, and transported from the State of California into the State of Arizona, and charging misbranding in violation of the food and drugs act as amended. The label on the bottle containing the article bore the following statements: "Indicated in inflammation of the Bladder or Kidneys; Catarrhal conditions of the Bladder or Urethra; Diseased Prostate; Gravel or Stone in the Bladder; Mucous Discharges." The carton containing the bottle was labeled in part as hereinafter set forth.

Analysis by the Bureau of Chemistry of this Department of a sample of the article showed that it consisted essentially of potassium acetate, extracts of plant drugs, glycerin, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded, in that the following statements borne on the carton label regarding the curative and therapeutic effects of the said article, "For the Treatment of Diseases of Urinary and Genital Organs Stone in the Bladder Calculus Gravel And All Affections of the Bladder and Kidneys \* \* \* The ingredients of Buchu Compound are those which have been proved to be of the greatest value, by physicians, in treating diseases of the urinary organs, such as Bright's Disease, Non-retention or Incontinence of Urine, Irritation, Inflammation or Ulceration of the Bladder or Kidneys, Chronic Catarrh of the Bladder and Urethra, Diseased Prostate, Gravel or Stone in the Bladder, Mucous and Milky Discharges, Dropsical Swellings, etc. For weakness arising from excess, indiscretion or dissipation in either sex," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 22, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13985. Adulteration and misbranding of prepared mustard. U. S. v. 3 Barrels of Salad Prepared Mustard. Default order of destruction entered. (F. & D. No. 19473. I. S. No. 9832-v. S. No. W-1631.)**

On January 14, 1925, the United States attorney for the District of Utah, 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 3 barrels, each containing 50 gallons, of salad prepared mustard, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by Plochman & Witt, from Chicago, Ill., June 12, 1924, and transported from the State of Illinois into the State of Utah, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Salad Prepared Mustard Colored With Turmeric. Manufactured by Plochman & Witt, Chicago."

Adulteration of the article was alleged in the libel for the reason that a substance, mustard bran, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "Salad Prepared Mustard Colored With Turmeric," borne on the labels, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On June 24, 1925, no claimant having appeared for the property, a decree was entered, adjudging the product to be adulterated and misbranded, and it was ordered by the court that the said product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13986. Adulteration of shelled dried chestnuts. U. S. v. 80 Sacks of Shelled Dried Chestnuts. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20634. I. S. No. 8084-x. S. No. E-5583.)**

On November 20, 1925, the United States attorney for the Southern District of New York, 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 80 sacks of shelled dried chestnuts, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Luigi Zaverio Cavargna, from Genoa, Italy, in part on or about January 15, 1925, and in part on or about January 25, 1925, and transported from a foreign country into the State of New York, 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 in part of a filthy, decomposed, and putrid vegetable substance.

On December 5, 1925, F. Romeo & Co., Inc., New York, N. Y., 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 costs of the proceedings and the execution of a bond in the sum of \$1,200, in conformity with section 10 of the act, conditioned in part that the bad portion be separated from the good portion and the former destroyed or denatured under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13987. Misbranding of currants. U. S. v. Frank C. Schilling Co. Plea of guilty. Fine, \$1. (F. & D. No. 11624. I. S. No. 9102-r.)**

On June 25, 1920, 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 an information against Frank C. Schilling Co., a corporation, Green Bay, Wis., alleging shipment by said company, in violation of the food and drugs act as amended, on or about July 30, 1919, from the State of Wisconsin into the State of Illinois, of a quantity of currants in crates which were misbranded. The article was labeled in part: (Crate) "From Schilling Green Bay."