

seizure and condemnation of 23 bottles of Sirup of Ambrozoin, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the American Apothecaries Co., from Astoria, N. Y., on or about June 9, 1925, and transported from the State of New York into the State of Wisconsin, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle) "Bronchitis Laryngitis Asthma Whooping Cough Pulmonary Phthisis And Other Respiratory Affections In Which A Mild Sedative Or Expectorant Is Required \* \* \* Allays Cough, Promotes Expectoration, Exerts A Soothing Influence On The Inflamed Mucous Membrane Of The Bronchial And Pulmonary Passages And Relieves Congestion Of The Respiratory Organs \* \* \* Dose \* \* \* Repeated \* \* \* Until Cough Is Allayed And Respiratory Discomfort Is Overcome," (carton) "Bronchitis Laryngitis Asthma Whooping Cough Pulmonary Phthisis \* \* \* And Other Respiratory Affections In Which A Mild Sedative Or Expectorant Is Required \* \* \* Allays Cough Promotes Expectoration \* \* \* Exerts A Soothing Influence On The Inflamed Mucous Membrane Of The Respiratory Passages."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of ammonium chloride, sodium and potassium bromides, small amounts of plant extracts, a trace of creosote, benzoic acid, alcohol, sugar and water.

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

On February 9, 1926, 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.*

**14192. Adulteration and alleged misbranding of butter. U. S. v. S2 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 20907. I. S. No. 5740-x. S. No. E-5384.)

On February 17, 1926, the United States attorney for the Western 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 82 tubs of butter, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Iowa Falls Creamery Co., from Iowa Falls, Ia., February 4, 1925 (1926), and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

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

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article.

On February 27, 1926, the Iowa Falls Creamery Co., Iowa Falls, Iowa, having appeared as claimant for the property and having consented to the entry of a decree, judgment of the court was entered, finding the product adulterated and ordering its condemnation, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,300, conditioned in part that it not be sold or otherwise disposed of contrary to law. The decree provided further that the claimant be permitted to recondition and rework the butter under the supervision of this department.

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

**14193. Adulteration of apples. U. S. v. 153 Boxes of Apples. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 20936. S. No. E-5666.)

On or about March 18, 1926, the United States attorney for the Western District of Virginia, 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 153 boxes of apples, remaining in the original unbroken packages at Winchester, Va., alleging that the article had been shipped by the Glen Rosa Orchards, Inc., from Medford, Oreg., and transported from the State of Oregon into the State of Virginia, and charging adul-

teration in violation of the food and drugs act. The article was labeled in part "Newton State Flower."

Adulteration of the article was alleged in the libel for the reason that it contained an added poisonous ingredient, to wit, arsenic, which rendered it injurious to health.

On March 31, 1926, the C. L. Robinson Ice & Cold Storage Corp., Winchester, Va., having appeared as claimant for the property and having admitted the allegations of the libel, 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 not be sold, except to a purchaser who would contract to peel the apples before using, nor otherwise disposed of until the excess of arsenic had been removed.

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

**14194. Adulteration and misbranding of frozen eggs. U. S. v. 17 Cases of Frozen Eggs. Default decree of condemnation, forfeiture, and sale.** (F. & D. No. 20806. I. S. No. 12089-x. S. No. C-4942.)

On or about February 2, 1926, 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 17 cases of frozen eggs, at Chicago, Ill., alleging that the article had been shipped by the Minnesota Central Creameries, Inc., from New Ulm, Minn., November 7, 1925, and transported from the State of Minnesota into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Minnesota Central Creameries \* \* \* New Ulm Minnesota."

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

Misbranding was alleged for the 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 or about March 26, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that any part of the product found by this department to be fit for food be sold by the United States marshal, as he deems advisable, and the remainder denatured and sold for technical purposes.

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

**14195. Adulteration of canned cherries. U. S. v. 70 Cases of Cherries. Consent decree of condemnation, forfeiture, and destruction.** (F. & D. No. 19980. I. S. No. 16395-v. S. No. E-5272.)

On April 9, 1925, the United States attorney for the Western District of South Carolina, 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 70 cases of cherries, at Greenville, S. C., alleging that the article had been shipped by the Edgett-Burnham Co., from Newark, N. Y., on or about November 3, 1924, and transported from the State of New York into the State of South Carolina, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Newark Brand Pitted Red Cherries In Juice Packed By Edgett-Burnham Company Newark, New York."

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 January 21, 1926, the Edgett-Burnham Co., Newark, N. Y., having intervened, admitted the allegations of the libel, paid the costs of the proceedings, and consented to the destruction of 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.*

**14196. Adulteration of butter. U. S. v. Sugar Creek Creamery Co. Tried to the court. Judgment of guilty. Fine, \$50 and costs.** (F. & D. No. 18988. I. S. No. 2359-v.)

On June 24, 1924, the United States attorney for the Eastern District of Illinois, 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