

14224. Adulteration of canned cherries. U. S. v. 43 Cases, et al., of Canned Pitted Black Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20562. I. S. Nos. 754-x, 1076-x. S. No. W-1806.)

On November 5, 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 61 cases of canned black cherries, remaining in the original unbroken packages at Oakland, Calif., alleging that the article had been shipped by Hunt Bros., from Salem, Oreg., September 15, 1925, and transported from the State of Oregon into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Richelieu Brand" (or "Ferndell Brand") "Bing Variety Pitted Black Cherries."

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

On February 2, 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.*

14225. Adulteration of butter. U. S. v. 13 Cubes of Butter, et al. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20916. I. S. No. 10653-x. S. No. W-1904.)

On February 17, 1926, 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 17 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Swift & Co., from Caldwell, Idaho, January 29, 1926, and transported from the State of Idaho into the State of California, and charging adulteration 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 substituted wholly or in part for the said article, and for the further reason that a valuable constituent, namely, butterfat, had been in part abstracted.

On March 2, 1926, Swift & 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 \$460, conditioned in part that it be made to conform with the law under the supervision of this department.

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

14226. Misbranding of Volta powder. U. S. v. 7 $\frac{1}{2}$ Dozen Boxes, et al., of Volta Powder. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 20417, 20465. I. S. Nos. 91-x, 778-x. S. Nos. W-1776, W-1789.)

On September 4 and 26, 1925, respectively, the United States attorney for the Northern 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 seizure and condemnation of 10 $\frac{1}{2}$ dozen boxes of Volta powder, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Volta Co. of America, Inc., from Philadelphia, Pa., in two consignments, on or about April 8 and 28, 1924, respectively, and transported from the State of Pennsylvania into the State of California, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Box) "Adapted To The Treatment Of Rheumatism of the Joints and Muscles, Sciatica, Lumbago, Gout, and Neuritis * * * medication by absorption saves the stomach * * * To eliminate excess Uric Acid poison from the body either through the pores of the skin or through the kidneys, and thereby to stimulate the system * * * Use * * * until you find some relief * * * Better results should be obtained by applying after first bathing the feet in hot water, so as to open the pores of the skin, as most sufferers from rheumatism have dry skin and seldom

perspire." The boxes containing a portion of the product were further labeled: "Eczema Frequently, Eczema has been relieved by using Volta Powder as directed hereon for Rheumatism. Be Fair To Yourself. Relief is noticed, in most cases, within a few days, but patience is necessary. If the disease is chronic or of long standing, Volta Powder should be continued until all indications of the cause have been removed."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of a mixture of sulphur and iron oxide, flavored with volatile oils including methyl salicylate.

Misbranding of the article was alleged in substance in the libels for the reason that the above quoted statements regarding its curative and therapeutic effects were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 2, 1926, 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.

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

14227. Adulteration of butter. U. S. v. 8 Cubes, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20914. I. S. No. 10652-x. S. No. W-1902.)

On February 17, 1926, 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 seizure and condemnation of 26 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Swift & Co., from Weiser, Idaho, January 29, 1926, and transported from the State of Idaho into the State of California, and charging adulteration 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 substituted wholly or in part for said article, and for the further reason that a valuable constituent, namely, butterfat, had been in part abstracted.

On March 2, 1926, Swift & 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 \$796, conditioned in part that it be made to conform with the law under the supervision of this department.

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

14228. Adulteration of canned cherries. U. S. v. 23 Cases of Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20681. I. S. No. 7211-x. S. No. E-5599.)

On December 1, 1925, 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 seizure and condemnation of 23 cases of cherries, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by J. A. Salter Co., from Manchester, N. Y., on or about August 6, 1925, and transported from the State of New York into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Manchester Brand Red Sour Pitted Cherries * * * Packed By The J. A. Salter Co., Manchester, N. Y."

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 January 14, 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.*

14229. Adulteration and misbranding of canned cherries. U. S. v. 200 Cases of Canned Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20579. I. S. Nos. 758-x, 1051-x. S. No. W-1810.)

On November 5, 1925, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the