

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

District Court of the United States for said district a libel praying the seizure and condemnation of 200 cases of canned cherries, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Hunt Bros., from Salem, Oreg., September 23, 1925, and transported from the State of Oregon into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Heart's Delight Brand Royal Anne Cherries * * * Packed By Richmond-Chase Co. Main Office San Jose, Cal. U. S. A."

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 vegetable substance.

Misbranding was alleged for the reason that the label stated that the product was manufactured by Richmond-Chase Co., San Jose, Calif., when in fact it was not so, which was false and misleading and deceived and misled the purchaser.

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.*

14230. Adulteration of butter. U. S. v. 14 Boxes of Butter. Consent order of confiscation entered. Product released under bond. (F. & D. No. 20906. I. S. No. 1971-x. S. No. C-4972.)

On February 8, 1926, the United States attorney for the Northern District of Ohio, 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 14 boxes of butter, at Cleveland, Ohio, alleging that the article had been shipped by the A. G. Creamery Co., Arcadia, Wis., on or about January 29, 1926, and transported from the State of Wisconsin into the State of Ohio, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated in violation of section 7 of the act, paragraphs 2 and 3, in that it contained less than 80 per cent by weight of milk fat.

On March 15, 1926, the A. G. Creamery Co., Arcadia, Wis., claimant, having admitted the allegations of the libel and having consented to the confiscation of the product, a decree was entered, ordering that it be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$700, conditioned in part that it be reworked under the supervision of this department so as to contain 80 per cent by weight of milk fat.

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

14231. Adulteration and misbranding of butter. U. S. v. 2 Cases of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21010. I. S. No. 5474-x. S. No. E-5702.)

On March 27, 1926, the United States attorney for the District of Massachusetts, 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 2 cases of butter, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Silver Lake Creamery, of Barnard, Vt., from Woodstock, Vt., and transported from the State of Vermont into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it was deficient in butterfat.

It was further alleged in the libel that the said article was misbranded, in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct.

On April 27, 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.*