

into the State of Washington, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "R. C. Brand Imported Olive Oil Net Contents One Gallon" (or "Net Contents One Half Gallon").

Misbranding was alleged for the reason that the statements "Net Contents One Gallon," "Net Contents One Half Gallon," borne on the labels, were false and misleading and deceived and misled the purchaser, and for the further reason 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.

On April 20, 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.

W. M. JARDINE, *Secretary of Agriculture.*

**14490. Misbranding of Mecca compound. U. S. v. 9 Dozen Packages, et al., of Mecca Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20876. I. S. No. 10484-x. S. No. W-1663.)**

On February 27, 1926, the United States attorney for the Western District of Washington, 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 9 dozen two-ounce packages, 5 dozen six-ounce packages, 5 dozen thirteen-ounce packages and ½ dozen three-ounce tubes of Mecca compound, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Foster-Dack Co., from Chicago, Ill., August 25, 1925, and transported from the State of Illinois into the State of Washington, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of zinc oxide, petrolatum, and fat, with traces of menthol and thymol.

It was alleged in substance in the libel that the article was misbranded, in that the following statements borne on all the packages: "Healing \* \* \* for all kinds of Sores and inflammation giving quick relief and aiding nature to make speedy cures \* \* \* for \* \* \* Barber's Itch, Eczema, Erysipelas, Hives, Salt Rheum \* \* \* Blood Poison, Boils, Diphtheretic Sore Throat, Pneumonia and all kinds of inflammation," together with the following statements borne on the 13-ounce and 6-ounce packages: "A Triumph of Modern Chemistry \* \* \* It Controls Pain to a Wonderful Degree and renders visible aid to Nature as to make recovery, in many cases, seem miraculous \* \* \* If Burn is deep apply \* \* \* as a poultice \* \* \* for best results \* \* \* In Pneumonia it renders to Nature most valuable assistance in controlling fever and affording relief to the patient \* \* \* Sores, Salt Rheum, Erysipelas, Carbuncles, Boils, Felons, Frozen part \* \* \* Rheumatism, Sprains \* \* \* Sore Feet, Eczema, Hives and nearly all kinds of inflammation," were false and fraudulent, since the article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On April 26, 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.

W. M. JARDINE, *Secretary of Agriculture.*

**14491. Misbranding of cottonseed cake. U. S. v. John F. Smith, Nathan B. Higbie, William B. Traynor. Pleas of guilty. Fine, \$25 and costs. (F. & D. No. 19724. I. S. No. 22699-v.)**

On February 15, 1926, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John F. Smith, Nathan B. Higbie, and William B. Traynor, trustees of the Consumers Cotton Oil Mills, Rotan, Tex., alleging shipment by said defendants, in violation of the food and drugs act, on or about January 10, 1925, from the State of Texas into the State of Colorado, of a quantity of cottonseed cake which was misbranded. The article was labeled in part: (Tag) "43 Per Cent Protein Cracked Cottonseed Cake Prime Quality Manufactured By: Rotan Cotton Oil Mill, Rotan, Texas. Guaranteed Analysis Crude Protein not less than 43.00 Per Cent \* \* \* Crude Fiber not more than 12.00 Per Cent."

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "43 Per Cent Protein," "Guaranteed Analysis Crude