

14640. Misbranding of Flam. U. S. v. 20 Dozen Bottles of Flam. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 21187. I. S. No. 1504-x. S. No. C-5192.)

On July 14, 1926, 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 a libel praying seizure and condemnation of 20 dozen bottles of Flam, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Flam Co., Chicago, Ill., February 17, 1926, and transported from the State of Illinois into the State of Wisconsin, 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 was a flavored sugar sirup containing ammonium chloride and bromide, with small amounts of sodium benzoate and glycerin.

Misbranding of the article was alleged in the libel for the reason that the label bore the following statements, regarding its curative and therapeutic effects, which were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label and carton) "For Coughs, Colds, Whooping cough, Asthma, Bronchitis, And All Affections of Lungs and Throat."

On October 15, 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.*

14641. Adulteration of stringless beans. U. S. v. 87 Cases of Stringless Beans. Default decree of forfeiture and destruction entered. (F. & D. No. 20696. I. S. No. 4260-x. S. No. C-4900.)

On December 4, 1925, the United States attorney for the Western District of Oklahoma, 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 87 cases of stringless beans, at Woodward, Okla., consigned by the Litteral Canning Co., Fayetteville, Ark., alleging that the article had been shipped from Fayetteville, Ark., on or about September 3, 1925, and transported from the State of Arkansas into the State of Oklahoma, 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 whole or in part of a filthy, decomposed and putrid vegetable substance.

On July 10, 1926, no claimant having appeared for the property, judgment of 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.*

14642. Adulteration and alleged misbranding of canned string beans. U. S. v. 161 Cases, et al., of String Beans. Default decrees of condemnation, forfeiture and destruction entered. (F. & D. Nos. 19825, 20683. I. S. Nos. 23047-v, 23048-v, 4248-x. S. Nos. C-4659, C-4882.)

On February 21 and December 1, 1925, respectively, the United States attorney for the Western District of Oklahoma, 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 991 cases of string beans, in part at Lawton, Okla., and in part at Enid, Okla., consigned by Appleby Bros., West Fork, Ark., alleging that the article had been shipped from West Fork, Ark., on or about September 11, 1925, and from Fayetteville, Ark., on or about August 6, 1924, and transported from the State of Arkansas into the State of Oklahoma, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Sahara Brand" (or "Zat Zit Brand") "Cut String Beans * * * Packed by Appleby Bros., Fayetteville, Ark." A portion of the Zat Zit brand was inconspicuously rubber stamped "Contents 6 Lbs. 4 Ozs."

It was alleged in the libels that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed and putrid vegetable substance.

Misbranding was alleged with respect to a portion of the product for the 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.